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Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

[1022 (Cigar Leaf-52)-3]

PART 723—CIGAR-FILLER TOBACCO, AND CIGAR-FILLER AND BINDER TOBACCO

PROCLAMATION OF THE RESULTS OF MARKETING QUOTA REFERENDA

Sec.

AUTHORITY: §§ 723.304 to 723.306 issued under sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply sec. 312, 52 Stat. 46, as amended; 7 U. S. C. 1312.

§ 723.304 *Basis and purpose.* Sections 723.304 to 723.306 are issued to announce the results of the cigar-filler tobacco, and cigar-filler and cigar-binder tobacco marketing quota referenda for the marketing year beginning October 1, 1952, and for the three-year period beginning October 1, 1952. Under the provisions of the Agricultural Adjustment Act of 1938, as amended, the Secretary proclaimed a national marketing quota for cigar-filler tobacco for the 1952–53 marketing year (16 F. R. 11474) and a national marketing quota for cigar-filler and cigar-binder tobacco for the 1952–53 marketing year (16 F. R. 11474). The Secretary announced (16 F. R. 11510) that referenda would be held on December 7, 1951, to determine whether cigar-filler tobacco producers, and cigar-filler and cigar-binder tobacco producers were in favor of or opposed to marketing quotas for the marketing year beginning October 1, 1952, and to determine whether cigar-filler tobacco producers, and cigar-filler and cigar-binder tobacco producers were in favor of or opposed to marketing quotas for the three-year period beginning October 1, 1952. Since the only purpose of this proclamation is to announce the results of the referenda, it is hereby found and determined that with respect to this proclamation application of the notice and procedure provisions of the Administrative Procedure Act (5 U. S. C. 1003) is unnecessary.

NOTICE

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December 27 through December 29, 1951; January 1, January 3 through January 5, 1952.

§ 723.305 *Proclamation of the results of the cigar-filler tobacco marketing quota referendum for the marketing year beginning October 1, 1952 and for the three-year period beginning October 1, 1952.* In a referendum of farmers engaged in the production of the 1951 crop of cigar-filler tobacco held on December 7, 1951, 2,648 farmers voted. Of those voting 566 or 21.4 percent favored quotas for a period of three years beginning October 1, 1952; 322 or 12.1 percent favored quotas for only the one year beginning October 1, 1952; and 1,760 or 66.5 percent were opposed to quotas. Since more than one-third of the farmers voting opposed quotas, the national marketing quota for cigar-filler tobacco for the marketing year beginning October 1, 1952, proclaimed on November 7, 1951 (16 F. R. 11474), becomes ineffective. Therefore, marketing quotas will not be in effect on cigar-filler tobacco for such marketing year.

§ 723.306 *Proclamation of the results of the cigar-filler and cigar-binder tobacco marketing quota referendum for*

(Continued on p. 13119)

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FEDERAL REGISTER

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A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

the marketing year beginning October 1, 1952, and for the three-year period beginning October 1, 1952. In a referendum of farmers engaged in the production of the 1951 crop of cigar-filler and cigar-binder tobacco held on December 7, 1951, 4,213 farmers voted. Of those voting 1,785 or 42.4 percent favored quotas for a period of three years beginning October 1, 1952; 983 or 23.3 percent favored quotas for only the one year beginning October 1, 1952; and 1,445 or 34.3 percent were opposed to quotas. Since more than one-third of the farmers voting opposed quotas, the national marketing quota for cigar-filler and cigar-binder tobacco for the marketing year beginning October 1, 1952, proclaimed on November 7, 1951 (16 F. R. 11474), becomes ineffective. Therefore, marketing quotas will not be in effect on cigar-filler and cigar-binder tobacco for such marketing year.

Done at Washington, D. C., this 26th day of December 1951. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-15353; Filed, Dec. 28, 1951; 8:46 a. m.]

[1022 (Fire, Air, and Sun-52)-3]

PART 726—FIRE-CURED, DARK AIR-CURED, AND VIRGINIA SUN-CURED TOBACCO

PROCLAMATION OF THE RESULTS OF MARKETING QUOTA REFERENDA

Sec.

AUTHORITY: §§ 726.305 to 726.307 issued under sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply sec. 312, 52 Stat. 46, as amended; 7 U. S. C. 1312.

§ 726.305 *Basis and purpose.* Sections 726.305 to 726.307 are issued to announce the results of the fire-cured tobacco and dark air-cured tobacco marketing quota referenda for the marketing year beginning October 1, 1952, and for the three-year period beginning October 1, 1952. Under the provisions of the Agricultural Adjustment Act of 1938, as amended, the Secretary proclaimed a national marketing quota for fire-cured tobacco for the 1952-53 marketing year (16 F. R. 11535) and a national marketing quota for dark air-cured tobacco for the 1952-53 marketing year (16 F. R. 11535). The Secretary announced (16 F. R. 11546) that referenda would be held on December 7, 1951, to determine whether fire-cured tobacco producers and dark air-cured tobacco producers were in favor of or opposed to marketing quotas for the marketing year beginning October 1, 1952, and to determine whether fire-cured tobacco producers and dark air-cured tobacco producers were in favor of or opposed to marketing quotas for the three-year period beginning October 1, 1952. Since the only purpose of this proclamation is to announce the results of the referenda, it is hereby found and determined that with respect to this proclamation application of the notice and procedure provisions of the Administrative Procedure Act (5 U. S. C. 1003) is unnecessary.

§ 726.306 *Proclamation of the results of the fire-cured tobacco marketing quota referendum for the marketing year beginning October 1, 1952, and for the three-year period beginning October 1, 1952.* In a referendum of farmers engaged in the production of the 1951 crop of fire-cured tobacco held on December 7, 1951, 13,350 farmers voted. Of those voting 12,879 or 96.5 percent favored quotas for a period of three years beginning October 1, 1952; 247 or 1.8 percent favored quotas only for the one year beginning October 1, 1952; and 224 or 1.7 percent were opposed to quotas. Therefore, the national marketing quota of 64,300,000 pounds proclaimed on November 8, 1951 (16 F. R. 11535), for fire-cured tobacco for the 1952-53 marketing year will be in effect for such year and marketing quotas on fire-cured tobacco will be in effect for three marketing years beginning October 1, 1952.

§ 726.307 *Proclamation of the results of the dark air-cured tobacco marketing quota referendum for the marketing year beginning October 1, 1952, and for the three-year period beginning October 1, 1952.* In a referendum of farmers engaged in the production of the 1951 crop of dark air-cured tobacco held on December 7, 1951, 11,430 farmers voted. Of those voting 11,134 or 97.4 percent favored quotas for a period of three years beginning October 1, 1952; 171 or 1.5 percent favor quotas for only the one year beginning October 1, 1952; and 125 or 1.1 percent were opposed to quotas. Therefore, the national marketing quota of 29,900,000 pounds proclaimed on November 8, 1951 (16 F. R. 11535), for dark air-cured tobacco for the 1952-53 marketing year will be in effect for such year and marketing quotas on dark air-cured tobacco will be in effect for three marketing years beginning October 1, 1952.

Done at Washington, D. C., this 26th day of December 1951. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-15354; Filed, Dec. 28, 1951; 8:46 a. m.]

[1022 (Maryland-52)-3]

PART 727—MARYLAND TOBACCO

PROCLAMATION OF THE RESULTS OF MARKETING QUOTA REFERENDUM

§ 727.303 *Basis and purpose.* Sections 727.303 and 727.304 are issued to

announce the results of the Maryland Tobacco marketing quota referendum for the marketing year beginning October 1, 1952, and for the three-year period beginning October 1, 1952. Under the provisions of the Agricultural Adjustment Act of 1938, as amended, the Secretary proclaimed a national marketing quota for Maryland Tobacco for the 1952–53 marketing year (16 F. R. 11537). The Secretary announced (16 F. R. 11545) that a referendum would be held on December 7, 1951, to determine whether Maryland Tobacco producers were in favor of or opposed to marketing quotas for the marketing year beginning October 1, 1952, and to determine whether Maryland Tobacco producers were in favor of or opposed to marketing quotas for the three-year period beginning October 1, 1952. Since the only purpose of this proclamation is to announce the results of the referendum, it is hereby found and determined that with respect to this proclamation application of the notice and procedure provisions of the Administrative Procedure Act (5 U. S. C. 1003) is unnecessary.

§ 727.304 *Proclamation of the results of the Maryland tobacco marketing quota referendum for the marketing year beginning October 1, 1952, and for the three-year period beginning October 1, 1952.* In a referendum of farmers engaged in the production of the 1951 crop of Maryland tobacco held on December 7, 1951, 5,258 farmers voted. Of those voting 814 or 15.5 percent favored quotas for a period of three years beginning October 1, 1952; 687 or 13.1 percent favored quotas for only the one year beginning October 1, 1952; and 3,757 or 71.4 percent were opposed to quotas. Since more than one-third of the farmers voting opposed quotas, the national marketing quota for Maryland tobacco for the marketing year beginning October 1, 1952, proclaimed on November 8, 1951 (16 F. R. 11537), becomes ineffective. Therefore, marketing quotas will not be in effect on Maryland tobacco for such marketing year.

(Sec. 375, 52 Stat. 66, as amended, 7 U. S. C. 1375. Interpret or apply sec. 312, 52 Stat. 46, as amended; 7 U. S. C. 1312)

Done at Washington, D. C., this 26th day of December, 1951. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-15355; Filed, Dec. 28, 1951; 8:46 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Lemon Reg. 415]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.522 *Lemon Regulation 415—(a) Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on December 26, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., December 30, 1951, and ending at 12:01 a. m., P. s. t., January 6, 1952, is hereby fixed as follows:

(i) District 1: 35 carloads;

(ii) District 2: 200 carloads;

(iii) District 3: 15 carloads.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2" and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 27th day of December 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[Storage date: Dec. 23, 1951]

District No. 1

[12:01 a. m. Dec. 30, 1951, to 12:01 a. m. Jan. 13, 1952]

Handler	*Prorate base (percent)*
Total	100.000
Klink Citrus Association	30.904
Lemon Cove Association	23.963
Porterville Citrus Association	1.054
Tulare County Lemon & Grapefruit Association	32.533
California Citrus Groves, Inc., Ltd.	.524
Harding & Leggett	9.035
Zaninovich Bros., Inc.	1.987

PRORATE BASE SCHEDULE

[Storage date: Dec. 30, 1951]

District No. 2

[12:01 a. m. Dec. 30, 1951, to 12:01 a. m. Jan. 13, 1952]

Handler	*Prorate base (percent)*
Total	100.000
American Fruit Growers, Inc., Corona	.450
American Fruit Growers, Inc., Fullerton	.265
American Fruit Growers, Inc., Upland	.604
Eadington Fruit Co.	.430
Hazeltine Packing Co.	1.121
Ventura Coastal Lemon Co.	2.453
Ventura Pacific Co.	1.424
Glendora Lemon Growers Association	2.084
La Verne Lemon Association	.755
La Habra Citrus Association	.634
Yorba Linda Citrus Association, The	.369
El Cajon Valley Citrus Association	.079
Escondido Lemon Association	2.042
Alta Loma Heights Citrus Association	1.362
Etiwanda Citrus Fruit Association	.833
Mountain View Fruit Association	.432
Old Baldy Citrus Association	1.823
San Dimas Lemon Association	1.639
Upland Lemon Growers Association	11.021
Central Lemon Association	.207
Irvine Citrus Association	.459
Placentia Mutual Orange Association	.721
Corona Citrus Association	.349
Corona Foothill Lemon Co.	3.198
Jameson Co.	.960
Arlington Heights Citrus Co.	.846
College Heights Orange & Lemon Association	5.025
Chula Vista Citrus Association, The	.474
Escondido Cooperative Citrus Association	.226
Fallbrook Citrus Association	1.407

PRORATE BASE SCHEDULE—Continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Lemon Grove Citrus Association	0.081
Carpinteria Lemon Association	4.777
Carpinteria Mutual Citrus Association	3.949
Goleta Lemon Association	5.139
Johnston Fruit Co	5.124
North Whittier Heights Citrus Association	.274
San Fernando Heights Lemon Association	3.169
Sierra Madre-Lamanda Citrus Association	1.336
Briggs Lemon Association	.834
Culbertson Lemon Association	1.406
Fillmore Lemon Association	.709
Oxnard Citrus Association	4.172
Rancho Sespe	.275
Santa Clara Lemon Association	3.864
Santa Paula Citrus Fruit Association	1.283
Saticoy Lemon Association	3.009
Seaboard Lemon Association	3.427
Somis Lemon Association	2.684
Ventura Citrus Association	1.265
Ventura County Citrus Association	.289
Limoneira Co	1.587
Teague-McKevett Association	.391
East Whittier Citrus Association	.215
Leffingwell Rancho Lemon Association	.291
Murphy Ranch Co	.377
Chula Vista Mutual Lemon Association	.355
Index Mutual Association	.146
La Verne Cooperative Citrus Association	2.561
Orange Belt Fruit Distributors	.923
Ventura County Orange & Lemon Association	2.188
Whittier Mutual Orange & Lemon Association	.013
Evans Bros. Packing Co	.001
Huarte, Joseph D	.000
Latimer, Harold	.055
Paramount Citrus Association, Inc	.139

PRORATE BASE SCHEDULE

[Storage date: Dec. 23, 1951]

District No. 3

[12:01 a. m. Dec. 30, 1951, to 12:01 a. m. Jan. 13, 1952]

Handler	Prorate base (percent)
Total	100.000
Consolidated Citrus Growers	8.485
Phoenix Citrus Packting Co	3.843
Arizona Citrus Growers	39.181
Chandler Heights Citrus Growers	6.988
Desert Citrus Growers Co	7.288
Tempeco Groves	6.688
Corona Foothill Lemon Co	9.951
Mesa Harvest Produce Co	3.870
Pioneer Fruit Co	3.716
Allen, W. A	.000
Morris Bros. Fruit Co	7.161
Sunny Valley Citrus Packing Co	.000
Terracciano Fruit Co	2.829

[F. R. Doc. 51-15425; Filed, Dec. 28, 1951; 8:56 a. m.]

[Orange Reg. 403, Amdt. 1]

PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to the provisions of Order No. 66 (7 CFR Part 966) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1 1 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of oranges grown in the State of California or in the State of Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) (*a*) of § 966.549 (Orange Regulation 403, 16 F. R. 12863) are hereby amended to read as follows:

(ii) Oranges other than Valencia oranges * * *

(*a*) Prorate District No. 1: 750 carloads;

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 28th day of December 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-15434; Filed, Dec. 28, 1951; 11:42 a. m.]

[Orange Reg. 404]

PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

§ 966.550 *Orange Regulation 404*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time, and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on December 27, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning 12:01 a. m., P. s. t., December 30, 1951, and ending at 12:01 a. m., P. s. t., January 6, 1952, is hereby fixed as follows:

(i) *Valencia oranges.* (*a*) Prorate District No. 1: No movement;

(*b*) Prorate District No. 2: Unlimited movement;

(*c*) Prorate District No. 3: No movement;

(*d*) Prorate District No. 4: No movement.

(ii) *Oranges other than Valencia oranges.* (*a*) Prorate District No. 1: 700 carloads;

(*b*) Prorate District No. 2: 184 carloads;

(*c*) Prorate District No. 3: Unlimited movement;

(*d*) Prorate District No. 4: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "varieties," "carloads," and

"prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," "Prorate District No. 3," and "Prorate District No. 4" shall each have the same meaning as given to the respective terms in § 966.107, as amended (15 F. R. 8712), of the current rules and regulations (7 CFR 966.103 et seq.), as amended (15 F. R. 8712).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 28th day of December 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m., P. s. t., Dec. 30, 1951, to 12:01 a. m., P. s. t., Jan. 6, 1951]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 1

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Lindsay	1.3347
A. F. G. Porterville	1.4660
Ivanhoe Cooperative Association	.7256
Placentia Cooperative Orange Association	.0000
Sandilands Fruit Co	.5106
Dofflemyer & Son, W. Todd	.6229
Earlibest Orange Association	2.1516
Elderwood Citrus Association	.7530
Exeter Citrus Association	3.6079
Exeter Orange Growers Association	1.7230
Exeter Orchards Association	1.5629
Hillside Packing Association	1.4975
Ivanhoe Mutual Orange Association	1.2555
Klink Citrus Association	4.2864
Lemon Cove Association	1.7016
Lindsay Citrus Growers Association	2.4957
Lindsay Cooperative Citrus Association	.7008
Lindsay Fruit Association	1.7047
Lindsay Orange Growers Association	.7852
Naranjo Packing House Co	1.2079
Orange Cove Citrus Association	3.9722
Orange Packing Co	1.3145
Orosi Foothill Citrus Association	1.8019
Paloma Citrus Fruit Association	.9115
Rocky Hill Citrus Association	1.6736
Sanger Citrus Association	4.4727
Sequoia Citrus Association	.7712
Stark Packing Corp	3.3682
Visalia Citrus Association	2.3028
Waddell & Son	1.9753
Baird-Neece Corp	1.7074
Beattie Association, D. A	.6127
Grand View Heights Citrus Association	3.0297
Magnolia Citrus Association	2.2017
Porterville Citrus Association, The	1.4529
Richgrove-Jasmine Citrus Association	1.6646
Strathmore Cooperative Association	.9319
Strathmore District Orange Association	1.9574
Strathmore Packing House Co	2.0508
Sunflower Packing Association	2.7242
Sunland Packing House Co	2.5607
Terra Bella Citrus Association	1.6478
Tule River Citrus Association	.9922
Euclid Ave. Orange Association	.3235
Lindsay Mutual Groves	1.0871
Martin Ranch	1.8290
Orange Cove Orange Growers	2.9941

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 1—Continued

Handler	Prorate base (percent)
Woodlake Packing House	2.4484
Anderson Packing Co	.6488
Baker Bros	.2534
Barnes, J. L	.0192
Batkins, Fred A	.0683
Bear State Packers, Inc	.2610
California Citrus Groves, Inc., Ltd	2.0175
Chess Co., Meyer W	.1910
Clemente, Lorenzo	.1028
Collum, J. B	.0127
Darby, Fred J	.0345
Darling, Curtis	.0009
Dubendorf, John	.1298
Edison Groves Co	.0000
Evans Bros. Packing Co	.1009
Granada Packing House	.0141
Haas, W. H	.1687
Harding & Leggett	2.2472
Independent Growers, Inc	1.6588
Kim, Charles N	.0551
Kroells Packing Co	1.8714
Larson, Louis	.1406
Lo Bue Bros	.5662
Maas, W. A	.0717
Marks, W. & M	.3877
Nicholas, Joe	.0211
Nicholas, Richard	.0041
Paramount Citrus Association	.2391
Powell, John W	.0211
Randolph Marketing Co	1.9312
Reimers, Don H	.5601
Terry, Floyd H	.1252
Toy, Chin	.0331
Zaninovich Bros., Inc	1.1692

Prorate District No. 2

Total	100.0000
A. F. G. Alta Loma	.2113
A. F. G. Corona	.2768
A. F. G. Fullerton	.0326
A. F. G. Orange	.0391
A. F. G. Riverside	.6962
A. F. G. Santa Paula	.0476
Eadington Fruit Co., Inc	.7119
Hazeltine Packing Co	.0736
Placentia Cooperative Orange Association	.5456
Placentia Pioneer Valley Growers Association	.0441
Signal Fruit Association	.9848
Azusa Citrus Association	1.1376
Covina Citrus Association	1.4782
Covina Orange Growers Association	.4684
Damerel-Allison Association	1.0528
Glendora Citrus Association	1.5316
Glendora Mutual Orange Association	.5730
Valencia Heights Orchard Association	.2360
Gold Buckle Association	2.8626
La Verne Orange Association	4.4272
Anaheim Valley Orange Association	.0144
Fullerton Mutual Orange Association	.3881
La Habra Citrus Association	.1601
Yorba Linda Citrus Association	.0580
Escondido Orange Association	.5238
Alta Loma Heights Citrus Association, The	.3622
Citrus Fruit Growers	.8670
Etiwanda Citrus Fruit Association	.1580
Mountain View Fruit Association	.1227
Old Baldy Citrus Association	.4351
Rialto Heights Orange Growers	.3481
Upland Citrus Association	2.2909
Upland Heights Orange Association	1.4107
Consolidated Orange Growers	.0251
Frances Citrus Association	.0127
Garden Grove Citrus Association	.0270

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Goldenwest Citrus Association	0.1415
Olive Heights Citrus Association	.0432
Santa Ana-Tustin Mutual Citrus Association	.0150
Santiago Orange Growers Association	.1482
Tustin Hills Citrus Association	.0190
Villa Park Orchard Association	.0345
Bradford Bros., Inc	.2099
Placentia Mutual Orange Association	.2126
Placentia Orange Growers Association	.1952
Yorba Orange Growers Association	.0580
Corona Citrus Association	.9502
Jameson Co	.6584
Orange Heights Orange Association	3.1647
Crafton Orange Growers Association	1.0916
East Highlands Citrus Association	.4333
Redlands Heights Groves	.7121
Redlands Orangedale Association	1.0855
Rialto-Fontana Citrus Association	.4243
Break & Son, Allen	.2785
Bryn Mawr Fruit Growers Association	1.2176
Mission Citrus Association	1.1576
Redlands Cooperative Fruit Association	1.6074
Redlands Orange Growers Association	1.0312
Redlands Select Groves	.5497
Rialto Orange Co	.6060
Southern Citrus Association	.7512
United Citrus Growers	.8369
Zilen Citrus Co	.5184
Arlington Heights Citrus Co	1.3397
Brown Estate, L. V. W	1.8689
Gavilan Citrus Association	1.9365
Highgrove Fruit Association	.6971
Krinard Packing Co	2.0847
McDermont Fruit Co	1.7566
Monte Vista Citrus Association	1.4456
National Orange Co	1.3083
Riverside Citrus Association	.2032
Riverside Heights Orange Growers Association	1.0547
Sierra Vista Packing Association	.8235
Victoria Avenue Citrus Association	3.2977
Claremont Citrus Association	.9137
College Heights Orange & Lemon Association	1.5231
Indian Hill Citrus Association	1.2337
Pomona Fruit Growers Exchange	1.9036
Walnut Fruit Growers Association	.5979
West Ontario Citrus Association	1.1842
El Cajon Valley Citrus Association	.2030
Escondido Cooperative Citrus Association	.0455
San Dimas Orange Growers Association	1.1906
Canoga Citrus Association	.0911
North Whittier Heights Citrus Association	.1550
San Fernando Heights Orange Association	.3599
Sierra Madre-Lamanda Citrus Association	.1260
Camarillo Citrus Association	.0050
Fillmore Citrus Association	1.0603
Ojai Orange Association	.6982
Piru Citrus Association	1.1230
Rancho Sespe	.0010
Santa Paula Orange Association	.1038
East Whittier Citrus Association	.0029
Murphy Ranch Co	.0577
Anaheim Cooperative Orange Association	.0459

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Bryn Mawr Mutual Orange Association	0.5354
Chula Vista Lemon Association	.0807
Euclid Avenue Orange Association	2.6308
Foothill Citrus Union, Inc	.5370
Fullerton Cooperative Orange Association	.0083
Garden Grove Orange Coop., Inc	.0359
Golden Orange Groves, Inc	.2486
Index Mutual Association	.0075
La Verne Cooperative Citrus Association	4.0888
Mentone Heights Association	.6712
Olive Hillside Groves	.0080
Redlands Foothill Groves	2.3426
Redlands Mutual Orange Association	1.1380
Ventura County Orange & Lemon Association	.3314
Whittier Mutual Orange & Lemon Association	.0172
Allec Bros	.0028
Babijuice Corp. of California	.2696
Becker, Samuel Eugene	.0094
Book, Maynard C	.0003
Cherokee Citrus Co., Inc	1.1042
Chess Co., Meyer W	.4891
Dunning Ranch	.2152
Evans Bros. Packing Co	.8169
Gold Banner Association	1.7736
Granada Packing House	.1786
Highgrove Citrus Co	.1878
Hill Packing House, Fred A	.8405
Holland, M. J	.0147
Knapp Packing Co., John C	.0473
Orange Belt Fruit Distributors	1.7539
Orange Hill Groves	.3979
Panno Fruit Co., Carlo	.0612
Paramount Citrus Association	.0737
Placentia Orchard Co	.0751
Ronald, P. W	.0382
Stephens & Cain	.2769
Wall, E. T., Grower-Shipper	2.0622
Western Fruit Growers, Inc	3.4013

[F. R. Doc. 51-15435; Filed, Dec. 28, 1951; 11:42 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[5th Gen. Rev. of Export Regs., Amdt. 87]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

MISCELLANEOUS AMENDMENTS

1. Section 373.1 *Export licensing general policy*, paragraph (h) *Commodities subject to this export licensing policy*, subparagraph (2) is amended by adding thereto the following Positive List commodities:

Tinplate circles, strips, cobbles, and scroll-shear butts	601300
Waste-waste tinplate	604000
Tinplate, hot-dipped	604110
Tinplate, electrolytic	604150
Tinplate, decorated, embossed, lithographed, lacquered, or otherwise advanced, including lithographic misprints	604170

2. Section 373.16 *Special provisions for certain commodities: evidence of availability*, paragraph (b) *Commodities* is amended in the following particulars:

a. The following entry is deleted: "Waste-waste tinplate: Schedule B No. 604000."

b. The following (last) sentence of the entry for Hot-dipped or electrolytic tinplate, unassorted as to temper, Schedule B Nos. 604110 and 604150 is deleted: "(All other secondary tinplate products and unmended menders are excluded from the provisions of this section.)"

c. The following new entry is added: "Tinplate circles, strips, cobbles, and scroll-shear butts: waste-waste tinplate; unmended menders; mill accumulations; and lithographic misprints: Schedule B Nos. 601300, 604000, 604110, 604150, and 604170."

3. Part 373 *Licensing policies and related special provisions* is amended by adding thereto a new § 373.32 to read as follows:

§ 373.32 *Licensing policies for tinplate.* Tinplate, Schedule B Nos. 601300, 604000, 604110, 604150, and 604170, will be licensed for export in accordance with the provisions of § 373.1 and the licensing policies and special provisions set forth in this section.

(a) *Specification production plate.* Specification production plate: Tinplate, hot-dipped and electrolytic, primes and seconds, and tinplate decorated, embossed, lithographed, lacquered, or otherwise advanced, Schedule B Nos. 604110, 604150, and 604170, will be licensed for export in accordance with the following special provisions of this paragraph:

(1) *Consignee and end uses.* In general, applications for licenses will be considered for approval by the Office of International Trade only where the foreign consignee is a regular user of tinplate and where the end use is for the preservation of perishable essential foods or the packaging of petroleum products.

(2) *Time for submission of applications.* Applications for licenses shall be submitted to the Office of International Trade in accordance with the time schedules set forth in § 373.51 (Supplement 1; Time Schedules).

(3) *CMP allotments.* The Controlled Materials Plan (CMP) governing the distribution of certain metals, as established by the National Production Authority, effective July 1, 1951, is applicable to all the tinplate commodities covered by this section. If an export license is issued, the Office of International Trade will assign a CMP allotment in accordance with § 398.5 of this chapter.

(b) *Tinplate secondary products.* Tinplate secondary products:

Unassorted and mixed tempers	Schedule B Nos. 604110, 604150.
Unmended menders	Schedule B No. 604150.
Mill accumulations	Schedule B Nos. 604110, 604150.
Waste-waste	Schedule B No. 604000.
Circles, strips, cobbles, and scroll-shear butts	Schedule B No. 601300.
Lithographic misprints	Schedule B No. 604170.

will be licensed for export in accordance with the following special provisions of this paragraph:

(1) *Consignee and end uses.* In general, applications for licenses will be considered for approval by the Office of International Trade only where the foreign consignee is a regular user or recognized distributor of tinplate and where the end use is for the preservation of perishable essential foods, the packaging of petroleum products, or for other meritorious end uses. (As to other meritorious end uses, see Note 1 following this paragraph.)

(2) *Time for submission of applications.* Applications for licenses shall be submitted to the Office of International Trade in accordance with the time schedules set forth in § 373.51 (Supplement 1; Time Schedules).

(3) *Evidence of availability.* Evidence of availability, as prescribed by § 373.16, must be submitted with the license applications.

(4) *CMP allotments.* The Controlled Materials Plan (CMP) governing the distribution of certain metals, as established by the National Production Authority, effective July 1, 1951, is applicable to all the tinplate commodities covered by this section. If an export license is issued, the Office of International Trade will assign a CMP allotment where necessary in accordance with § 398.5 of this chapter. Tinplate will be licensed against export quotas established quarterly.

NOTE 1. *NPA orders and their applicability to exports.* National Production Authority Orders M-8, M-24, M-25, and M-26 regulate the use of tin and tinplate in the domestic market.[1] These orders are applied by the Office of International Trade in licensing exports, as described in § 373.19.

NOTE 2. *Consignee information.* Information concerning the consignees (regular users and recognized distributors) in foreign countries is obtained by the Office of International Trade for licensing all tinplate covered by this section from two sources:

(a) United States Embassies in the respective countries, and (b) the foreign embassies and/or trade missions in the United States. These two sources will also inform the Office of International Trade concerning any supplier preference indicated by the consignee.

NOTE 3. *Quotas established for tinplate.* The following separate export quotas are established quarterly against which each grade of tinplate will be licensed:

(a) Prices and seconds (specification production plate):

(1) For food packing.

(2) For petroleum packaging.

(b) Unassorted and mixed tempers.

(c) Unmended menders.

(d) Mill accumulations.

(e) Waste-waste (including terneplate waste-waste).

(f) Circles, strips, cobbles, scroll-shear butts, and lithographic misprints.

(c) *Definitions.* For purposes of this section, the following definitions and

[1] NPA orders may be obtained from field offices of the Department of Commerce upon request.

explanations are given as to various grades of tinplate:

(1) *Specification production plate.* Specification production plate includes hot-dipped and electrolytic primes and seconds, and tinplate decorated, embossed, lithographed, lacquered, or otherwise advanced. Specification production plate is that plate made according to specifications of the purchaser, and is to be distinguished from the other grades of tinplate that are referred to generically as "secondary products."

(2) *Unassorted and mixed tempers.* Unassorted and mixed tempers tinplate means primes, seconds, or unassorted tinplate arising in the production of hot-dipped or electrolytic tinplate which has been packaged without regard to temper.

(3) *Unmended menders.* Unmended menders means tinplate arising in the production of electrolytic tinplate which has been set aside by the producer by reason of surface appearance which disqualifies such tinplate from sale as primes, seconds, or unassorted.

(4) *Mill accumulations.* Mill accumulations tinplate is plate arising as the result of over-runs in the manufacture of specification production plate and is so identified when sold, manifested, or shipped.

(5) *Waste-waste.* Waste-waste tinplate means hot-dipped or electrolytic tin-coated steel sheets which have been rejected during processing by the producer because of imperfections which disqualify such sheets from sale as prime, seconds, or unassorted.

(6) *Strips, circles, cobbles, lithographic misprints, and other miscellaneous secondary products.* This tinplate consists of off-falls (failure of cutting machines to completely utilize tinplate sheets for the manufacture of cans or other tinplate items) accumulated in the producing mills, the can manufacturing plants, and in lithographing operations, and includes other secondary products not otherwise classified.

4. Section 373.51 *Supplement 1: Time schedules for submission of applications for licenses to export certain Positive List commodities* is amended in the following particulars with respect to certain tinplate products:

a. For the Fourth Quarter 1951 and First Quarter 1952 the entries and submission dates for:

	Fourth quarter 1951	First quarter 1952
Controlled materials: [4] [5]		
Commodities with processing code STEE or TNPL:		
Stainless and other alloy steel	June 1–June 15, 1951	Sept. 17–Sept. 28, 1951.
All other	July 2–July 16, 1951	Oct. 1–Oct. 15, 1951.

are amended to read as follows:

	Fourth quarter 1951	First quarter 1952
Controlled materials: [4] [5]		
Commodities with processing code STEE:		
Stainless and other alloy steel	June 1–June 15, 1951	Sept. 17–Sept. 28, 1951.
All other	July 2–July 16, 1951	Oct. 1–Oct. 15, 1951.
Commodities with processing code TNPL:		
Specification production plate	do	Do.
Secondary tinplate products	do	Dec. 15, 1951–Feb. 1, 1952.

[4] See § 398.5 (e) of this subchapter for list of controlled materials.
[5] See § 398.5 (d) of this subchapter for exception to these dates under certain commodities.

b. For the Second Quarter of 1952 the entries and submission dates for:

	2d quarter 1952
Controlled materials: [3] [4]	
Commodities with processing code TNPL.	Dec. 5, 1951–Dec. 20, 1951.

are amended to read as follows:

	2d quarter 1952
Controlled materials: [3] [4]	
Commodities with processing code TNPL:	
Specification production plate.	Dec. 5, 1951–Dec. 20, 1951.
Secondary tinplate products.	Mar. 15, 1952–May 1, 1952.

[3] See § 398.5 (e) of this subchapter for list of controlled materials.
[4] See § 398.5 (d) of this subchapter for exception to these dates under certain conditions.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. C. 9630, Sept. 27, 1945, 10 F. R. 12245; 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59; 3 CFR, 1948 Supp.)

This amendment shall become effective as of December 28, 1951.

LORING K. MACY,
Director,
Office of International Trade.

[F. R. Doc. 51-15366; Filed, Dec. 28, 1951; 8:48 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter II — Federal Housing Administration, Housing and Home Finance Agency

Subchapter A—General

PART 200—GENERAL

SUBPART B—FEDERAL HOUSING ADMINISTRATION PROCEDURE

NATIONAL DEFENSE HOUSING INSURANCE

Subpart B is hereby amended by adding the following new § 200.12:

§ 200.12 *National Defense Housing Insurance*—(a) *Purpose.* Title IX of the National Housing Act, a new title added by Public Law 139, 82d Congress, approved September 1, 1951, is designed to supplement systems of mortgage insurance under other provisions of the National Housing Act in order to assist in providing adequate housing in areas which the President shall have determined to be critical defense housing areas. A new insurance fund, the National Defense Housing Insurance Fund, has been created for carrying out the provisions of Title IX. The Federal Housing Administration is authorized to insure mortgages under either section 903 or section 908 of Title IX subject to the following provisions:

(1) That the property covered by the mortgage is in an area which the President, pursuant to section 101 of the Defense Housing and Community Facilities and Services Act of 1951, shall have determined to be a critical defense housing area, and that the total number of dwelling units in properties covered by mortgages insured under this title in any such area does not exceed the number authorized by the Housing and Home Finance Administrator from time to time as needed in such area for defense purposes and to be insured pursuant to this title.

(2) That the aggregate amount of principal obligations of all mortgages insured under this title shall not exceed such sum as may be authorized by the President from time to time for the purposes of this title.

(3) That the FHA Commissioner shall have power to require properties covered by mortgages insured under this title to be held for rental for such periods of time and at such rentals or other charges as he may prescribe; and, with respect to such properties being held for rental, (i) to require that the property be held by a mortgagor approved by him, and (ii) to prescribe such requirements as he deems to be reasonable governing the method of operation and prohibiting or restricting sales of such properties or interests therein or agreements relating to such sales.

(4) That no mortgage shall be insured under this title unless the mortgagor certifies under oath that in selecting tenants for any property covered by the mortgage he will not discriminate against any family by reason of the fact that there are children in the family, and that he will not sell the property while the insurance is in effect unless the purchaser so certifies, such certification to be filed with the Commissioner.

(b) *Processing and closing.* The administrative, fiscal and legal procedure for the processing and closing of cases under section 903 of Title IX of the National Housing Act will be practically the same as that for section 203, Title II. Substantially the same forms presently in use under section 203 of the act shall be used except that these forms will be modified by deleting all reference to Title II or section 203 and inserting in lieu thereof Title IX or section 903. The procedure under section 908 of Title IX of the act will be similar to that used for the processing and closing of cases under section 207 or section 608. With few exceptions, essentially the same forms presently in use under section 207 or section 608 shall be employed, but these forms will be modified by deleting all reference to the section of the act for which the form was previously used and inserting in lieu thereof section 908.

(Sec. 907, as added by sec. 201, Pub. Law 139, 82d Cong., approved Sept. 1, 1951)

[SEAL] OSBORNE KOERNER,
Director,
Administrative Services.

[F. R. Doc. 51-15360; Filed, Dec. 28, 1951; 8:47 a. m.]

Chapter VIII—Office of Rent Stabilization, Economic Stabilization Agency

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 431]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CALIFORNIA, NORTH CAROLINA, AND PENNSYLVANIA

Amendment 431 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said regulation is amended in the following respect:

In Schedule A, items 31, 215 and 262 are amended to read and new item 262b is added, all as follows:

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
California				
(31) Marysville-Chico	B	Sutter County and Yuba County, except the cities of Marysville and Wheatland, and the portion of Yuba County described as follows: All north and east of a line beginning at a point on the line between Nevada County and Yuba County where said line is intersected by the south line of T. 17 N., R. 6 E. MDB&M and running thence west along said township line to the SW. corner of said township; then north along the west line of T. 17 N., R. 6 E. and T. 18 N., R. 6 E. to the point where said line intersects the line between Butte County and Yuba County.	Mar. 1, 1942	Oct. 1, 1942
	B	In Butte County, that portion bounded on the east and north by a line beginning at a point in the boundary line between Yuba and Butte Counties, Calif., between T. 18 N., R. 5 E., and T. 18 N., R. 6 E., thence north in Butte County along the east lines of T. 18 N., R. 5 E., T. 19 N., R. 5 E. and T. 20 N., R 5 E. to NE. corner of T. 20 N., R. 5 E., thence west along north line of T. 20 N., R. 5 E. and T. 20 N., R. 4 E. to the Feather River; bounded on the west irregularly by the Feather River; and bounded on the south by Yuba County.	do	Dec. 1, 1942
	C	In Sutter County, the township of Yuba, and Yuba County, except the cities of Marysville and Wheatland, and the portion of Yuba County described as follows: All north and east of a line beginning at a point on the line between Nevada County and Yuba County where said line is intersected by the south line of T. 17 N., R. 6 E. MDB&M and running thence west along said township line to the SW. corner of said township; then north along the west line of T. 17 N., R. 6 E. and T. 18 N., R. 6 E. to the point where said line intersects the line between Butte County and Yuba County.	June 1, 1951	Dec. 27, 1951
	A	In Nevada County, the townships of Grass Valley and Nevada; and in Yuba County, the cities of Marysville and Wheatland, and the portion of Yuba County described as follows: All north and east of a line beginning at a point on the line between Nevada County and Yuba County where said line is intersected by the south line of T. 17 N., R. 6 E. MDB&M and running thence west along said township line to the SW. corner of said township; then north along the west line of T. 17 N., R. 6 E. and T. 18 N., R. 6 E. to the point where said line intersects the line between Butte County and Yuba County.	do	Do.
North Carolina				
(215) Fayetteville, N. C.	B	Cumberland and Hoke	Apr. 1, 1941	July 1, 1942
	C	do	Oct. 1, 1950	Dec. 27, 1951
Pennsylvania				
(262) Harrisburg	B	Cumberland County, except the borough of Lemoyne; Dauphin County; and in Perry County, the Townships of Rye, Penn and Wheatfield, and the municipalities of Marysville, Perdix and Duncannon.	Mar. 1, 1942	Nov. 1, 1942
	B	Franklin County	do	Dec. 1, 1942
(262b) Lebanon	B	Lebanon County, except the borough of Richland.	do	Nov. 1, 1942
	C	do	Mar. 1, 1951	Dec. 27, 1951
	A	In Lebanon County, the borough of Richland	do	Do.

This amendment is issued as a result of joint certifications pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (1) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall be effective December 27, 1951.

Issued this 26th day of December 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-15375; Filed, Dec. 28, 1951; 8:50 a. m.]

PART 825—RENT REGULATION UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

EDITORIAL NOTE: For transfer and recodification of §§ 825.81–825.92, see F. R. Doc. 51-15421 under Title 32A, Chapter XXI, *infra*.

PART 853—RULES OF PRACTICE AND PROCEDURE, INCLUDING FORMS AND INSTRUCTIONS

CROSS REFERENCE: For transfer of Part 853 to Title 32A, see editorial note under Chapter XXI of Title 32A, *infra*.

TITLE 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

Subchapter B—Executive Orders, Proclamations, and Public Land Orders Applicable to the Navy

PART 702—TABULATION OF EXECUTIVE ORDERS, PROCLAMATIONS, AND PUBLIC LAND ORDERS APPLICABLE TO THE NAVY

REVOCATION

1. The following subchapter of Chapter VI, Department of the Navy, Title 32, National Defense, Code of Federal Regulations, is hereby revoked: Subchapter B—Executive Orders, Proclamations, and Public Land Orders Applicable to the Navy (comprising §§ 702.1 to 702.4, inclusive).

(R. S. 161; 5 U. S. C. 22)

Dated: December 21, 1951.

DAN A. KIMBALL,
Secretary of the Navy.

[F. R. Doc. 51-15352; Filed, Dec. 28, 1951; 8:46 a. m.]

Subchapter C—Personnel

PART 713—NAVAL RESERVE

REVOCATIONS

1. The following paragraph of § 713.2103 is hereby revoked:

(c) As a matter of policy the Bureau of Naval Personnel will not approve appointments in the Naval Reserve of foreign-born persons who have been naturalized less than 10 years, and who have not resided continuously during the 10-year period in the United States.

2. The following section is hereby revoked:

§ 713.10308 *Insurance—Naval Aviation Cadets and Officers of Basic Classification A1 or A2.*

(Sec. 9, 52 Stat. 1177, as amended; 34 U. S. C. 853g)

Dated: December 21, 1951.

DAN A. KIMBALL,
Secretary of the Navy.

[F. R. Doc. 51-15351; Filed, Dec. 28, 1951; 8:45 a. m.]

PART 713—NAVAL RESERVE

MISCELLANEOUS AMENDMENTS

1. Section 713.7305 is amended to read as follows:

§ 713.7305 *Naval reservists in receipt of pensions, retirement pay, disability allowance or disability compensation.* (a) No member of the Naval Reserve who is drawing, or has a claim pending for, a pension, retainer pay, retirement pay, disability allowance or disability compensation from the Government of the United States by virtue of prior military service will be ordered to active duty for training or inactive duty training with pay without specific approval of the Chief of Naval Personnel. Requests for active duty for training or inactive duty training with pay from personnel in this category may be approved by the Chief of Naval Personnel subject to the following:

(1) Request to be forwarded to the Chief of Naval Personnel via (i) the District Commandant or Chief of Naval Air Reserve Training, and (ii) the Chief, Bureau of Medicine and Surgery.

(2) Certification by the Chief, Bureau of Medicine and Surgery that the individual is in all respects physically qualified for active Federal duty (determination to be made by review of previous health record and report of current physical examination).

(3) Request for inactive duty training with pay to be accompanied by proof of relinquishment of said pension, retirement pay, disability allowance or disability compensation. Proof of relinquishment to be verified by agency previously paying same.

(4) Request for active duty for training with pay to be accompanied by a waiver of said pension, retirement pay, disability allowance or disability compensation for the period the individual will be in a pay status.

(b) Inactive Naval Reservists in a Naval Reserve pay status of any nature will immediately notify their commanding officer at the time of submission of a claim for or receipt of a pension, retainer pay, disability allowance, disability compensation, or retired pay from the Government of the United States. Orders or authorization for such personnel to be in a pay status will be terminated immediately by the commanding officer concerned. Confirmation of such termination will be requested from the Chief of Naval Personnel via official channels in the case of officers.

2. Section 713.7306 is amended to read as follows:

§ 713.7306 *Certificate for disability allowance or waiver thereof.* (a) Except as provided in paragraph (b) of this section on specific authority of the Chief of Naval Personnel, no member of the Naval Reserve shall be certified for payment of any compensation or allowance for active duty for training, drills, equivalent instruction or duty, appropriate duties, administrative functions, or uniform allowances unless and until he has submitted to the commandant of his naval district, the Chief of Naval Air Reserve Training, or his commanding officer a signed statement in the following form:

I _____, U. S. Naval Reserve,
(Name, rank or rate)
state that I am not drawing, nor have I a claim pending for a pension, retainer pay, disability allowance, disability compensation, or retirement pay from the Government of the United States by virtue of prior military service. I will comply with the provisions of Article H-7305 (2), Bureau of Naval Personnel Manual in the event this statement becomes invalid.

_____
(Signature)

Personnel signing the above statement shall be fully informed of the context of the said article and shall be warned of the provisions of Title 18, Section 1001, United States Code which is quoted below:

1001. *Statements or entries generally.* Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and wilfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than five years, or both. (June 25, 1948, ch. 645, 1, 62 Stat. 749, eff. Sept. 1, 1948.)

(b) Except with specific authorization from the Chief of Naval Personnel to omit same, a certificate shall be typed or stamped on orders or authorizations for active duty for training or inactive duty training involving pay, allowances, or traveling or other expenses to members of the Naval Reserve to read as follows:

You have signed a statement that you are not drawing a pension, retainer pay, disability allowance, disability compensation or retirement pay from the Government of the United States by virtue of prior military service.

3. The following section is an addition to Subpart G—Pay, Allowances, and Compensation; Organized Reserve, Volunteer Reserve, and Merchant Marine Reserve:

§ 713.7307 *Naval Reservists ordered to active duty.* (a) Naval Reservists in receipt of orders to active duty will comply with the provisions of their orders.

(b) Any member of the Naval Reserve entitled to draw a pension, retainer pay, disability allowance, disability compensation, or retired pay from the Government of the United States by virtue of prior military service, may elect, with reference to periods of active duty for which they may be entitled to receive compensation pursuant to any provisions of law to receive either (1) the compensation for such duty, which, when authorized by law, shall include travel or other expenses incident thereto, and subsistence and quarters, or commutation thereof, or (2) the pension, retainer pay, disability allowance, disability compensation or retired pay, but not both; and unless they specifically waive or relinquish the latter, they shall not receive the former for the periods of such duty. Accordingly, no member of the Naval Reserve shall be certified for payment of any compensation or allowance for active duty unless and until he has submitted to the commandant of his naval district or his commanding officer a signed statement in the following form:

I _____, U. S. Naval Re-
(Name, rank, or rate)
serve, state that I am not drawing nor have I a claim pending for a pension, disability allowance, disability compensation, or retired pay from the Government of the United States by virtue of prior military service.

_____
(Signature)

NOTE: Retired pay does not include pay of members of the Fleet Reserve or members of the honorary retired list.

Except as provided in paragraph (c) of this section, the certificate prescribed in § 713.7306 (b) shall be typed or stamped on orders for active duty.

(c) If a member of the Naval Reserve entitled to draw a pension, disability compensation or retired pay from the Government of the United States by virtue of prior military service elects to receive active duty compensation, he shall execute a notice to the Veterans' Administration or other bureau or office of re-entrance into active service in the following form:

NOTICE OF RE-ENTRANCE INTO ACTIVE SERVICE BY PERSON RECEIVING PENSION OR RETIREMENT PAY

Date _____
C-No _____
Veterans' Administration (or name of other bureau or office).
_____
_____

1. This is to certify that I, _____ have this date re-entered active military service; and that I agree to repay in cash (or by deduction from pay, which is hereby authorized) any pension, disability allowance, disability compensation, or retirement pay received by me from the Veterans' Administration (or name of other bureau or office) for any period subsequent to date of re-entrance into active service and to which I am not entitled by reason of receipt of active service pay.

_____
(Signature)
_____
(Address)
_____

[First Endorsement]

_____
(Date)

From: The Disbursing Officer.
To: The Veterans' Administration (or name of other bureau or office).

1. The above-named officer (or enlisted person) has been taken up for active duty pay commencing _____.

The above certificate shall be in triplicate and delivered to the disbursing officer who first takes up the pay account of the individual concerned. The disbursing officer shall execute the endorsement, forward the original to the Veterans' Administration or other bureau or office and a copy to the Bureau of Naval Personnel. One copy will be retained by the disbursing officer.

(d) Detailed instructions governing substantiation of credit of active duty pay and allowances for Naval Reservists are contained in the Bureau of Supplies and Accounts Manual.

(Sec. 9, 52 Stat. 1177, as amended; 34 U. S. C. 853g)

Dated: December 21, 1951.

DAN A. KIMBALL,
Secretary of the Navy.

[F. R. Doc. 51-15350; Filed, Dec. 28, 1951; 8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 7, Amdt. 12]

CPR 7—RETAIL CEILING PRICES FOR CERTAIN CONSUMER GOODS

NEW SELLERS

Pursuant to the Defense Production Act of 1950 (64 Stat. 812), Executive Order 10161 (15 F. R. 6105) and Economic Stabilization General Order No. 2 (16 F. R. 738), this Amendment 12 to Ceiling Price Regulation 7 (16 F. R. 1872) is hereby issued.

STATEMENT OF CONSIDERATIONS

The present provisions of section 39 of Ceiling Price Regulation 7 have created certain difficulties for the Agency and for new sellers. These difficulties appear in the case of uniform and centrally pricing chains opening new units; department stores establishing new suburban branches which would normally price uniformly with the parent store; and in the case of individual sellers opening a new unit to be priced uniformly with the existing store. Section 39 now usually prevents new sellers from using the same prices in their new units as in the rest of their operation.

Centrally and uniformly pricing chains can operate most efficiently by following their customary pricing methods and thereby further the objectives of stabilization by keeping down the costs of distribution. This pricing method also facilitates the administration of price controls by establishing uniform prices to the ultimate consumer in a number of retail outlets of the same seller.

Therefore, the provisions of Ceiling Price Regulation 7 dealing with new sellers are being amended to accomplish the following changes:

(1) A chain which prices uniformly and centrally will be authorized to extend its charts to its new units. An individual seller who wishes to open another store (or stores) and price a new unit centrally and uniformly with the existing unit will also be allowed to extend its chart;

(2) A chain which does not price centrally and uniformly and which adds a new unit will be allowed to use the chart of one of its existing units under certain conditions set forth in this amendment;

(3) A seller who has previous experience and wishes to open a new unit or to add a new category with prices higher than those yielded by markups in Appendix E may apply for an order from the OPS District Office and will be authorized to do so if he meets certain qualifications outlined in this amendment. In general, such new sellers will be governed by competition rather than by the top limit table of the original section 39 of Ceiling Price Regulation 7;

(4) New sellers without previous experience will follow the procedure of using Appendix E markups as in the original section 39.

This amendment does not supersede section 42 of Ceiling Price Regulation 7 dealing with transfer of an existing business. This amendment does not delete section 39(c) or (d) (sellers who sell exclusively in sets groups of articles to which services have been added and sellers who repair or recondition). They are merely redesignated respectively section 39f and section 39g.

In addition, this amendment adds clarifying language, pointing out that sellers who had elected to remain under the General Ceiling Price Regulation but who start to handle articles in a Ceiling Price Regulation 7 category not handled under the General Ceiling Price Regulation are required to price those categories pursuant to CPR 7.

Sellers whose applications were processed under the provisions of section 39 as it existed prior to the issuance of this amendment will be afforded an opportunity to reapply.

This amendment is being issued after discussion with representative members of the retail trades and after full consultation with the Retail Industry Advisory Committee, and consideration was given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 7 is amended in the following respects:

1. Substitute the following section 39 in lieu of the introductory paragraph of section 39 and paragraphs (a) and (b) thereof:

SEC. 39. *Ceiling prices for new sellers or for sellers who cannot price under other sections of the regulation.* You determine your ceiling prices under sections 39a–39g [12a] if you are a new seller; or if you are unable to establish your ceiling prices pursuant to sections 30–38a; or if you elected to remain under the General Ceiling Price Regulation and thereafter you take on articles in a CPR 7 category and prior to taking on such articles you did not handle any articles in that category pursuant to the General Ceiling Price Regulation.

If you are a chain which prices centrally and uniformly and you are adding a new unit, you use section 39a. If you are a chain which does not price centrally and uniformly and you are adding a new unit, you use section 39b. If you are a seller with a single unit for which you have filed a chart and you wish to add another unit for which you will determine prices centrally and uniformly with your existing unit, you follow section 39c. If you are a seller who had previous experience in handling articles covered by CPR 7 at markups higher than those in Appendix E or related articles at prices which for those articles are higher than those received by the average seller and you wish to open a unit or to add a category handling CPR 7 articles at markups higher than Appendix E, you follow section 39d. In all other instances a seller uses section 39e.

All applications, notifications, and reports required by section 39a through 39g must be signed by the applicant or a duly authorized officer or agent.

2. A new section 39a is added to read as follows:

SEC. 39a. *Adding a unit to a chain which prices centrally and uniformly.* A chain or group of stores which constitutes a single seller under section 3 (b) (3), or which has become a chain pursuant to section 39c or pursuant to section 7 of Supplementary Regulation 1 to this regulation, may include in the chain or group any new unit opened by it and may determine prices for sales from that unit pursuant to the chart filed for the chain or group if prior to opening the unit the chain or group sends a notification containing the information described below to the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., and receives an approval thereof from the OPS.

(a) *Notification.* The notification must include the following information:

(1) The name of the chain or group and the address of its principal office;

(2) The name and address of the new unit;

(3) The date of opening the new unit; and

(4) A statement:

(i) That central and uniform pricing with other members of the chain or group is to be maintained in the new unit;

(ii) That the new unit will be the same type of operation; will extend the same services; provide the same class of merchandise; and cater to the same class of purchaser, as the units comprising the chain or group immediately prior to January 26, 1951 (or the units comprising the chain created pursuant to section 39c or any unit in the chain created pursuant to section 7 of Supplementary Regulation 1).

(b) *Authorization.* The OPS will approve a notification containing the information set forth in paragraph (a) of this section. Two copies of the approval of notification will be sent to the applicant, one to be retained in the principal office of the chain and the other to be kept in the new unit for inspection by the OPS.

3. A new section 39b is added to read as follows:

SEC. 39b. *Adding a new unit to a chain which does not price centrally and uniformly.* A chain which does not constitute a single seller under section 3(b) (3) (i. e., a chain which does not price centrally and uniformly), and which is opening a new unit may file an application to use the chart of another unit in the chain to determine ceiling prices for sales from that new unit.

(a) *Application.* The application must be filed with the District Office having jurisdiction over the area in which the

[12a] Any seller to whom an order was issued under section 39 prior to December 31, 1951 denying his application in whole or in part, shall be afforded an opportunity to reapply in accordance with sections 39a through 39d.

unit to be opened will be located and must include:

(1) The name and address of the principal office of the chain;

(2) The name and address of the new unit and date of opening;

(3) A list of the categories proposed to be handled in the new unit;

(4) A statement of the type of supplier from whom merchandise is to be purchased (e. g., wholesalers, distributors, jobbers, manufacturers, etc.);

(5) The name and address of the unit the chart of which is sought to be used and the address of the OPS District Office with which that chart was filed;

(6) The names and addresses of the three (3) closest competitors (if three are available);

(7) Information showing that the unit to be opened and the unit the chart of which is sought to be used will:

(i) Be the same type of operation;

(ii) Extend the same services and provide the same class of merchandise;

(iii) Cater to the same class of purchasers; and

(iv) Be located in similar trading areas and in comparable locations within those trading areas.

(b) *Authorization.* (1) The OPS may, by order, authorize the use of a chart already filed for another unit of the chain if the new unit and the one whose chart is sought to be used meet the requirements of paragraph (a) (7) above.

(2) If the new unit and the one whose chart is sought to be used do not meet the requirements of paragraph (a) (7) above, the OPS may, by order, authorize the use of the chart of the unit named under paragraph (a) (5) or of another unit of the chain if the chart results in markups in line with or lower than those of the closest competitors, (three (3), if available).

(3) If the new unit is to carry categories not on the chart sought to be used, or if any categories on the chart sought to be used under sub-paragraph (2) of this paragraph have markups in excess of those of competitors, then for such categories the OPS may authorize the use of the chart, if any, for that particular category of some other unit in the chain which would result in markups in line with or lower than those of competitors. The OPS in such case will give you an opportunity to produce such a chart for the particular categories, indicating the acceptable category average for each. Thereafter, if no chart for the particular category is produced, the OPS will authorize the use of a markup for the category in line with those of the competitors.

4. A new section 39c is added to read as follows:

SEC. 39c. *A seller with a single unit who wishes to open another unit and to establish prices for the new unit centrally and uniformly.* A seller who has a single unit and wishes to open a new unit and to establish prices for that new unit centrally and uniformly with the unit for which he has filed a chart may do so if prior to opening the new unit he sends a notification containing the information described below to the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. and receives an approval thereof from OPS.

(a) *Notification.* The notification must include the following information:

(1) His name and address and the name and address of the unit for which he has already filed a chart;

(2) The name and address of the unit to be opened;

(3) The proposed date of opening; and

(4) A statement:

(i) That central and uniform pricing is to be maintained in the two units;

(ii) That the new unit will be the same type of operation, will extend the same services, provide the same class of merchandise, and cater to the same class of purchaser as the existing unit.

(b) *Authorization.* The OPS may authorize a seller with one unit to become a chain, centrally and uniformly pricing, if the notification includes the information set forth in paragraph (a) of this section. Two copies of the approval of notification will be sent to the applicant, one to be retained in the principal office of the chain and the other to be kept in the new unit for inspection by the OPS.

5. A new section 39d is added to read as follows:

SEC. 39d. *A seller who has previous experience and wishes to open a new unit or to add a category.* If you are a seller not covered by sections 39a, 39b or 39c, who has the experience qualifications described in paragraph (a) below, you may use this section when opening a new unit or when adding a category which you are unable to price under prior sections of this regulation. If you are adding a category or opening a new unit under this section, you apply for authorization to use category markups in line with or lower than those of sellers carrying on business most nearly like that in which you propose to use the markups (i. e., with your closest competitors).

(a) *Eligibility.* You may apply for authorization under this section if:

(1) You already own one or more establishments selling articles covered by Ceiling Price Regulation 7 which have ceiling prices higher than those yielded by markups in Appendix E; or

(2) You already own one or more establishments selling articles related to those covered by Ceiling Price Regulation 7 which have ceiling prices which for such articles are higher than the average ceiling prices received by sellers of the articles in the trading area; or

(3) You (if you are an individually owned establishment) or any of the principal stockholders or partners actually engaged in the business or any of the managing officers had previous merchandising experience as owner, officer, principal, or employee in an executive or managerial capacity in a business handling articles covered by CPR 7 at prices higher than those yielded by Appendix E markups (or if handling related articles not covered by CPR 7, at prices which for such articles are higher than average) and have not operated at or below the prices permitted by Appendix E (or the average prices) since the appropriate list date. For the purpose of this subparagraph, experience for more than a year as a route salesman or door-to-door salesman shall be considered the equivalent of managerial experience in processing applications to establish markups for that type of seller.

(b) *Application to establish a new unit.* If you are opening a new unit pursuant to this section, your application must be filed with the District Office having jurisdiction over the area in which the unit to be opened will be located and must include:

(1) The name and address of the applicant and proposed name and address of the establishment; the names and addresses of all owners, stockholders, and officers of the business establishment. (Stockholders holding less than 10 percent of the total number of shares of corporations need not be listed.)

(2) Evidence to establish eligibility under paragraph (a) above. If the claim of eligibility is made under paragraph (a) (3), the statement must include the names of persons upon whose past experience the claim for eligibility rests and evidence of such qualifying experience, including the name and address of the store (or stores) in which the experience was gained (if that store is no longer in existence, the name and address of the store which was its closest competitor); and the dates of the periods in which such experience was acquired.

(3) The date or proposed date of opening of the new unit.

(4) A list of categories (identified by the appropriate Appendix B category number) intended to be handled, indicating as to each the category markup requested.

(5) The type of unit the applicant intends to operate (for example, dry goods, furniture, men's furnishings, specialty shop, department store, etc.).

(6) Customer services which will be offered (installment selling, charge accounts, free delivery service, free alterations, etc.).

(7) If applicant is a leased department, the name and address of the prior lessee; if the department was operated by the lessor this should be stated.

(8) The names and addresses of the three (3) closest competitors.

(9) A statement of the types of suppliers from whom merchandise is to be purchased (e.g., wholesalers, distributors, jobbers, manufacturers, etc.).

(c) *Application to add a new category.* If pursuant to this section, you are adding a category which you are unable to price under prior sections of the regulation, your application must be filed with your OPS District Office and must include:

(1) Your name and address and the name and address of the unit to which the category is to be added;

(2) The category number and description of the category to be added and the markup requested;

(3) A statement that the category cannot be priced pursuant to the prior sections of the regulation; and

(4) The names and addresses of the three (3) closest competitors handling the category.

(d) *Authorization.* Upon application made pursuant to paragraph (b) or (c) the OPS may, by order, authorize you to use markups for each category in line with (or, if requested, lower than) those of three (3) competitors (if three are available) not exceeding your own past experience as established under paragraph (b) (2) or (c) above.

(e) *Reports of changes in ownership.* Any seller who has received an order authorizing him to establish prices under this section must report to the District Office which granted the order any change in ownership or management occurring subsequent to the filing of the application involving persons named in the application under paragraph (b). However, if the seller is a corporation, only transfers of more than 10 percent of corporate stock to any individual need be reported. The report should include the name of any new owner, partner or principal stockholder or managing officer actually engaged in the business and, of that person replacing the person or persons upon whose experience eligibility was established under paragraph (b) (2) above, a statement of the previous business connections with respect to CPR 7 articles or related commodities which would qualify him.

6. A new section 39e is added to read as follows:

SEC. 39e. *When to use Appendix E markups.* If you cannot determine your ceiling prices under any previous section of this regulation or under section 39f or section 39g, you use Appendix E markups.

(a) *Pricing method.* You find your ceiling price for all articles which must be priced under this section as follows by using the table in Appendix E. On the left side is listed a column of category numbers; opposite each category number is a percentage markup. Find the percentage markup for the category to which the article you are pricing belongs. Multiply the net cost of the article you are pricing by this percentage markup. Add the result so obtained to the net cost of the article. The amount so arrived at is your ceiling price for the article you are pricing.

(b) *Reports.* You may not sell or deliver any article which you are required to price under this section until you have filed whichever of the following reports is applicable:

(1) You must file a statement that you have filed a list date pricing chart (if that is a fact) and a list of the categories you intend to price under paragraph (a) of this section; or

(2) If you have not filed a list date pricing chart, you must file a statement containing the following information:

(i) Your name and address or your proposed name and address and the names and addresses of all owners, stockholders, or officers of the business establishment. (Owners holding less than 10 percent of the total number of shares of corporations preparing this statement need not be listed.)

(ii) The date or the proposed date of the organization of the business establishment.

(iii) A list of the categories which you intend to price under this section.

(iv) The type of store you operate or intend to operate (dry goods, furniture, men's furnishings, specialty shop, etc.).

(v) Customer services which you offer or intend to offer (installment selling, charge accounts, free deliveries, etc.).

(vi) If you are a leased department, the name and address of the prior lessee; if the department was previously operated by the lessor, this should be stated.

(c) *Reduction of Appendix E markups.* If you use Appendix E markups, the OPS may, by order, reduce your markups to bring your markups into line with markups for sellers of the same class.

7. Paragraph (c) of section 39 is redesignated "Sec. 39f."

8. Paragraph (d) of section 39 is redesignated "Sec. 39g."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 12 shall become effective on the 31st day of December 1951.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 27, 1951.

[F. R. Doc. 51-15422; Filed, Dec. 27, 1951; 4:07 p. m.]

[Ceiling Price Regulation 7, Amdt. 7 to Supplementary Regulation 1]

CPR 7—RETAIL CEILING PRICES FOR CERTAIN CONSUMER GOODS

SR 1—SPECIAL PRICING METHODS FOR CERTAIN CHAIN STORES AND MAIL ORDER ESTABLISHMENTS

CHART PREPARATION BY NON-CENTRAL PRICING CHAINS BECOMING CENTRAL PRICING

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16 F. R. 738), this Amendment 7 to Supplementary Regulation 1 of Ceiling Price Regulation 7 (16 F. R. 1895) is hereby issued.

STATEMENT OF CONSIDERATIONS

Ceiling Price Regulation 7 does not provide a procedure for chain stores which were non-centrally and non-uniformly pricing on the list dates and which wish so to do to become centrally and uniformly pricing chains, so that the group could be constituted under Ceiling Price Regulation 7 as a single seller for a given category.

It appears that centrally and uniformly-pricing chains frequently can operate more efficiently by following such pricing methods and can thereby further the objectives of stabilization by keeping down the costs of distribution. Also, this pricing method facilitates the administration of price controls by resulting in uniform prices to the ultimate consumer in a large number of retail outlets.

Accordingly, Supplementary Regulation 1 is hereby amended providing a procedure for the construction of a master chart by a non-central pricing chain which wishes to become a uniform and centrally-pricing chain.

This change is being adopted, at the request of members of the industry, after full consultation with an Industry Advisory Committee and representative members of the industry. Consideration has been given to their views and this action is taken pursuant to their recommendations.

AMENDATORY PROVISIONS

Supplementary Regulation 1 to Ceiling Price Regulation 7 is amended by adding thereto a new section 7 to read as follows:

SEC. 7. *Combination of retail sellers.* Two or more sellers under common ownership or control (other than departments within a single departmentalized establishment) who have filed Ceiling Price Regulation 7 charts may become a single seller and may determine uniform prices by the use of a master chart prepared and filed in accordance with this section. Prepare two copies of a master chart, one for filing and one to be retained in the principal office. In order to create a master chart to be used subsequently for determining uniform prices, the combining sellers must create for each category "composite" charts and compare the category averages with the category average of "pilot" sellers.

(a) *Composite chart for each category.* The sellers who are combining must prepare a composite chart *for each category* by combining the chart for all of the sellers as follows:

(1) Transfer to the composite chart every cost-price relationship for that category shown on each separate chart (including both circled and non-circled offering prices), listing these in order from lowest to highest costs;

(2) A cost-price relationship may only appear once; therefore, eliminate duplicate cost-price relationships;

(3) Find the category average (follow the method prescribed in section 18 of Ceiling Price Regulation 7);

(4) Circle the appropriate price where more than one offering price appears opposite any net cost (see section 19 of Ceiling Price Regulation 7).

(b) *Use of composite chart.* Compare the composite chart category average with the category average of the "pilot" seller (see subparagraph (1) of this paragraph). If the category average of the composite chart for the category does not exceed the category average of the "pilot" seller by more than 3 percent of the category average of the "pilot" seller, you copy the composite chart onto the master chart; in all other cases, you copy the "pilot" seller's chart for that category onto the master chart.

(1) The "pilot" seller is the following:

(i) If less than 10 sellers are combining, the seller which has filed a chart for the category and which has the largest total annual dollar volume; or

(ii) If 10 or more sellers are combining, the seller whose chart has a category average for the category which most closely approximates the "weighted category average" of the combining sellers. For this purpose the "weighted category average" of the combining sellers is found as follows:

(*a*) Multiply the category average for each of the combining sellers having the category by his total annual dollar volume;

(*b*) Divide the sum of the figures found in (*a*) by the total of the annual dollar volume of all the combining sellers having the category.

If the weighted category average is exactly between the averages of two of the combining sellers use the seller with the lower category average markup as the pilot seller. If more than one of the sellers has the same category average for the category use the seller with the greater annual volume.

(c) *Filing of master chart.* After the master chart has been prepared the combining sellers must file a copy of the master chart with the Distribution Price Branch, Consumer Soft Goods Division, OPS, Washington 25, D. C. The chart must also list the names and addresses of all the sellers included in the combining group. At the same time as the master chart is filed, the combining sellers must notify each District Office with which the charts of the individual sellers were filed that a master chart is being filed and if not all of the categories are included in the master chart, must list specifically which categories are included in the master chart. A copy of each of these notices to the District Offices must accompany the filing of the chart.

(d) *Authorization to use the master chart.* The master chart may be used for the purpose of determining ceiling prices thirty (30) days after it is filed unless the OPS authorizes its use prior to the expiration of the thirty (30) days or unless the chain is notified that the chart has been disapproved or that further information or correction is required. If additional information is required or correction is necessary, the master chart may only be used after an order authorizing its use has been issued by the OPS.

(e) *Pricing pursuant to an authorized master chart.* Wherever a group of combining sellers is authorized (automatically or by order) to use the master chart, it may begin to price by the use of that chart immediately after authorization; but all articles, whether acquired before or after the use of the master chart is authorized, must be priced by the use of that chart no later than sixty (60) days after the chain is authorized to use the chart.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective on the 31st day of December 1951.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 27, 1951.

[F. R. Doc. 51-15423; Filed, Dec. 27, 1951; 4:08 p. m.]

[Ceiling Price Regulation 30, Amdt. 1 to Supplementary Regulation 1, Revision 1]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

ALTERNATIVE METHOD FOR CALCULATING OVERHEAD ADJUSTMENT FACTOR

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 1, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment provides manufacturers using Supplementary Regulation 1, Revision 1 to CPR 30 with an alternative method of calculating the overhead adjustment factor. In the method provided under section 3 of Supplementary Regulation 1, Revision 1, the calculation of the dollar-and-cents overhead adjustment for each commodity is required as a preliminary step. Following this step the manufacturer must calculate the percentage factor for his business which he uses in adjusting his ceiling prices under Supplementary Regulation 1, Revision 1.

The method provided by this amendment eliminates the first step of the method originally provided. Under the new method a manufacturer calculates the overhead adjustment factor for his entire business without first calculating individual dollar-and-cents adjustments for each commodity. In the great majority of cases this method will yield virtually the same results as the method originally provided and will be considerably simpler to apply.

AMENDATORY PROVISIONS

Revision 1, of Supplementary Regulation 1 of Ceiling Price Regulation 30 is amended in the following respects:

1. The second paragraph of section 3 (a) (2) is amended by deleting the words "as follows" and substituting the phrase "by using either the method set out in this subparagraph 2 or subparagraph 3 of this section," so that section 3 (a) (2) reads as follows:

3 (a) (2) If you are determining your ceiling prices under SR 4 to CPR 30, add together your materials, labor and overhead cost adjustment factors. The result is your "total cost adjustment."

You derive your materials and labor cost adjustment factors under the appropriate provisions of SR 4 to CPR 30, and you derive your overhead cost adjustment factor by using either the method set out in this subparagraph 2 or subparagraph 3 of this section.

2. A new subparagraph 3 is added to section 3 (a) to read as follows:

(3) If you wish to calculate your overhead adjustment factor without first finding a dollar-and-cents overhead adjustment for each of your commodities you make the following computations:

(i) Multiply the number of units of each commodity sold by you during your 1950 fiscal year (This is the figure you find in section 3 (b) of this regulation) by its average 1951 "overhead period price which you find in section 11 (d) of SR 4." Add the results of these multiplications (This gives you the total value of your 1950 sales at 1951 prices).

(ii) Divide the result obtained in (i) by the "total value of your sales at base period prices." The total value of your sales at base period prices is the figure you find in section 3 (c) of this regulation. The result is your "price increase ratio."

(iii) Multiply the "price increase ratio" found in (ii) by the "total 1951 overhead period factor" which you find in section 12 (d) of SR 4. The result is your "adjusted total 1951 overhead factor."

(iv) From the "adjusted total 1951 overhead factor" found in (iii) subtract the total 1950 overhead factor which you find in section 12(c) of SR 4. The difference is your overhead adjustment factor.

This amendment shall become effective December 31, 1951.

(Sec. 704, 69 Stat. 16, as amended, 50 U. S. C. App. Sup. 2154)

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 28, 1951.

[F. R. Doc. 51-15428; Filed, Dec. 28, 1951; 10:53 a. m.]

[Ceiling Price Regulation 95, Amdt. 1]

CPR 95—TURNED, SHAPED OR OTHER ALLIED WOOD PRODUCTS

INCLUSION OF ADDITIONAL PRODUCTS

Pursuant to the Defense Production Act of 1950, as amended, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong., Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 95 is hereby issued.

STATEMENT OF CONSIDERATIONS

The purpose of this amendment is to place the flat veneer products industry under the provisions of Ceiling Price Regulation 95—Turned, Shaped or Other Allied Wood Products.

Eleven producing firms constitute the greater part, if not the whole of the industry. Production per year amounts to approximately $6,000,000 worth of goods. The production by one firm amounts to more than $1,000,000, that of five firms between $250,000 and $1,000,000, and that of five others less than $250,000 each annually.

The particular items produced by the industry are: popsicle sticks, ice cream bar sticks, flat and curved spoons and forks manufactured from flat veneer wood, tongue depressers and medical applicators, meat skewers, round candy sticks, mustard paddles and similar articles.

Some articles produced by members of this industry are under control of the General Ceiling Price Regulation, while others are under Ceiling Price Regulation 22, as amended, and still others are under Ceiling Price Regulation 95. Some of the producing firms find that they are operating in part under one regulation and in part under another. Different items made on the same machine may be subject to different regulations. Most of the businesses are small and therefore do not have the records and accounting practices necessary to comply with the provisions of Ceiling Price Regulation 22, as amended.

This amendment is necessary to take some items from under the General Ceiling Price Regulation and Ceiling Price Regulation 22, and to place the whole industry under the provisions of Ceiling Price Regulation 95. The latter regulation establishes ceiling prices by formula, which is the customary method of pricing flat veneer items and other items manufactured by this industry.

In formulating this amendment, the Director of Price Stabilization has consulted extensively with representatives of the industry and has given consideration to their recommendations. In his judgment the ceiling prices established for the flat veneer products industry by means of this amendment are fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Ceiling Price Regulation 95 is amended in the following respects:

1. Section 1 is amended by inserting the words "and Ceiling Price Regulation 22" between the words "Regulation" and "with" so that section 1 reads as follows:

SECTION 1. *What this regulation does.* This regulation establishes ceiling prices for manufacturers of turned, shaped or other allied wood products. This regulation supersedes the General Ceiling Price Regulation and Ceiling Price Regulation 22 with respect to products covered by this regulation. This regulation applies to the forty-eight states of the United States and the District of Columbia, but not to the territories and possessions of the United States.

2. To that part of section 13 which defines "Other allied wood products" the following is added: "Flat veneer products such as, but not limited to, spoons and forks, bowl or curved shaped spoons and forks manufactured from flat veneer, mustard paddles, ice cream sticks, popsicle sticks, cocktail spears, candy sticks, flower picks, tongue depressors and applicators," so that the definition of "Other allied wood products" in section 13 reads as follows:

Other allied wood products. Other allied wood products include, but are not limited to:

Cherry blocking and allied products.
Shims and braces.
Venetian blind wood slats and pencil slats.
Hickory and other hardwood striking tool handles and other allied handles.
Hickory and ash small dimension, including picker stick blanks, ski billets, pitman stock, shunt squares and handle blanks.
Tobacco sticks.
Plow handles and related items.
Broom and mop handles.
Wood last, bowling pin, and heel blocks.
Wood dowels, skewers, gambrels and floral sticks.
Ash tool handles.
Piano sounding boards and other allied piano parts.
Wooden clothespins, including spring type.
Wooden luggage frames.
Rough turned bobbins.
Wooden plugs and cores and bushings.
Bungs and wood faucets.
Wooden pole line materials, such as pins, steps and brackets, and wooden reels.
Shoe pegs and wood shanks.
Artificial limb blocks.
Pulp rods and pull rod carriers.
Cleat stock, wooden pallets and skids.
Canvas binder slat blanks and related items.
Wooden shoe stretchers.
Wooden lobster traps.
Brush blocks.
Wooden neck yokes, single tree and double tree blanks and saddle trees and other allied products.
Trellises, arbors, and other allied products.
Street broom fiber.
D shovel handles.
Wooden spokes, axles and rims.
Tobacco pipe stock.
Butcher blocks.
Wood industrial cutting boards.
Wedges and fids.

Flat veneer products such as, but not limited to, spoons and forks, bowl or curved shaped spoons and forks manufactured from flat veneer, mustard paddles, ice cream sticks, popsicle sticks, cocktail spears, candy sticks, flower picks, tongue depressors and applicators.

3. To that part of section 13 which begins: "The term turned, shaped, or other allied wood products does not include: Rotary cut lumber, veneer, or plywood" the words "except flat veneer products" are inserted between the words "veneer" and "or", so that this portion of Section 13 reads as follows:

The term "turned, shaped, or other allied wood products" does not include:

Rotary cut lumber, veneer (except flat veneer products), or plywood.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154).

Effective date. This Amendment 1 to Ceiling Price Regulation 95 is effective December 31, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 27, 1951.

[F. R. Doc. 51-15430; Filed, Dec. 28, 1951; 10:53 a. m.]

[General Ceiling Price Regulation, Interpretation 45]

GCPR, INT. 45—PARTS WARRANTIES BY MANUFACTURERS OF TELEVISION SETS (SECTION 18)

Manufacturers of television sets customarily made available various types of warranties covering parts in their sets. Some warranties ran for three months and were included in the purchase price for the set. Other warranties ran for longer periods, at separately stated additional charges. In the latter case, some manufacturers required the purchaser to take the additional warranty when he purchased the set. Other manufacturers made the additional warranty optional with the purchaser. A number of manufacturers have asked whether they may now make specified changes in their warranties as indicated below.

(1) Some manufacturers wish to substitute a compulsory and longer warranty at an additional charge in place of the 90-day warranty included in the selling price during the base period.

Requiring that a purchaser take the longer warranty at an additional charge would now require him to buy something in addition to the television set which he was not required to buy in the base period and therefore constitutes a tie-in sale in violation of Sec. 18 of the GCPR and similar provisions in other regulations. The fact that a prior form of warranty has been dropped does not justify such a tie-in sale.

(2) Some manufacturers wish to increase the duration of the compulsory warranty offered by them and to make an additional charge for the increased period. For the same reasons as stated in (1) above, this would constitute a tie-in sale.

(3) Other manufacturers now wish to increase their charges for the same compulsory warranty which they had sold during the base period at a separately stated charge. To offset the additional warranty charge, they would reduce the list price of the television set by an amount equal to the increase in the price of the warranty.

The additional charge for the same warranty would constitute a violation of ceiling price regulations. The regulations do not provide for increases in ceiling prices even though accompanied by a reduction in the price for another commodity or service.

The general rules are that a seller may not require a tie-in sale and may not increase his ceiling prices. The fact that a seller may be willing to balance the increased charges made for one item by reducing the charge for a different item does not justify the increase in ceiling price. This, however, does not prohibit any seller from offering something in addition to that which he offered during the base period and to make an appropriate and reasonable charge, determined under the applicable ceiling price regulation provided that the purchaser has a full option to take or leave the additional item.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

HAROLD LEVENTHAL,
Chief Counsel,
Office of Price Stabilization.

DECEMBER 28, 1951.

[F. R. Doc. 51-15431; Filed, Dec. 28, 1951; 10:53 a. m.]

[General Ceiling Price Regulation, Amdt. 1 to Supplementary Regulation 71]

GCPR, SR 71—FOREIGN SLAB ZINC AND PRIMARY LEAD

CORRECTION IN PREMIUM FOR CORRODING LEAD MADE FROM COPPERIZED LEAD

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 71 to General Ceiling Price Regulation, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Supplementary Regulation 71 to the General Ceiling Price Regulation set forth ceiling delivered prices for imported primary lead and slab zinc. Section 2 (b) (2), Table D, sets forth premiums for common lead and corroding lead made from copperized lead. The premium for both these commodities should be the same. However, Table D sets forth the premium on common lead made from copperized lead at 0.15 cents per pound whereas through error, the premium for corroding lead made from copperized lead was set forth at 0.16 cents per pound. This amendment corrects Table D and sets forth the premium for corroding lead made from copperized lead at 0.15 cents per pound.

AMENDATORY PROVISIONS

In Section 2 (b) (2), Table D, change the premium for corroding lead made from copperized lead from ".16" to ".15".

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective Date. This amendment is effective December 28, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 28, 1951.

[F. R. Doc. 51-15433; Filed, Dec. 28, 1951; 10:53 a. m.]

[General Overriding Regulation 5, Interpretation 1]

GOR 5—EXEMPTIONS OF CERTAIN CONSUMER DURABLE GOODS

INT. 1—CUSTOM BUILT HOUSEHOLD FURNITURE

Certain retailers of furniture have raised the question as to whether certain articles, sets, or suites of household furniture which they purchase from a manufacturer who offers such furniture with optional features or added decorations are included within the term "custom built household furniture" in section 12 of GOR 5, Amendment 3, and therefore exempt from price control.

Such manufacturers usually offer the furniture in a limited variety of basic designs. Optional features or added decorations which do not change the basic design of the furniture are available at the option of the purchaser. The number of options is limited to that number and form which the manufacturer chooses to offer. The optional features may include a choice of such features as fringe, gimp, or nail finishes; rubber, down or hair filling; different length rails for beds; folding and extra leaves for tables; variously designed hardware.

This method of listing the variations of furniture which the manufacturer is willing to make and sell is a convenient method of cataloguing the number of combinations available. The furniture is normally mass-produced and not tailored to the individual requirements and designs of a specific purchaser, except that he has the choice of these listed combinations.

The term "custom built household furniture", as used in section 12, contemplates furniture which is manufactured to the specifications of a specific customer after such customer has placed an order. In such cases, the customer has a free choice as to all elements of material and style. The furniture is tailored to his individual requirements and desires and, for that reason, is not mass-produced, and not manufactured (except for some component parts such as frames, hardware, etc.) previous to receipt of a specific order from the customer. Furniture offered by manufacturers with optional features or added decorations which do not change its basic design does not fall within this definition of the term "custom built".

In the above, reference is made to the fact that furniture which is custom built is normally not made in advance of receipt of orders from the prospective purchaser. This is not intended to mean that a piece of furniture is custom made if it is out of stock at the time the order is received and must be manufactured before the order can be filled. The fact that some or all of the items offered for sale are not ordinarily stocked does not convert these items into custom built items.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup., 2154)

HAROLD LEVENTHAL,
Chief Counsel,
Office of Price Stabilization.

DECEMBER 28, 1951.

[F. R. Doc. 51-15432; Filed, Dec. 28, 1951; 10:53 a. m.]

Chapter VI—National Production Authority, Department of Commerce

DSM1—DESIGNATION OF SCARCE MATERIALS

EDITORIAL NOTE: The heading of NPA Notice 1, as amended November 7, 1951 (16 F. R. 11341) is changed to read "DSM 1—Designation of Scarce Materials."

Chapter XV—Federal Reserve System

[Regulation W]

REG. W—CONSUMER CREDIT

MISCELLANEOUS AMENDMENTS

1. Effective December 31, 1951, Regulation W (formerly Part 222 of Title 12) is hereby amended in the following respects:

a. By amending Part 4 of section 9 (the Supplement to the regulation) to read as follows:

PART 4. *Calculation of down payment and maximum loan value for listed articles.* The required down payment and maximum loan value for a listed article shall be the specified percentage of the cash price of the article. The amount of credit extended in connection with any article for which a maximum retail price is prescribed by Federal price authorities shall in no event exceed the amount which would have been permitted if the article had been sold at the maximum retail price. Such required down payment may be obtained in the form of cash, trade-in, or both.

If the cash price of an article listed in Group D cannot be determined at the time the required down payment must be obtained or at the time of the loan, (1) the Registrant may substitute for the cash price in calculating such down payment a bona fide estimated cash price, or (2) the borrower may substitute for the cash price, and in calculating the maximum loan value the Registrant may rely in good faith on, a bona fide estimated cash price as so stated in the Statement of the Borrower.

b. By deleting in its entirety Part 5 of section 9 (the Supplement to the regulation).

c. By substituting "Part 4" for "Part 5" in footnote 5 to section 4 (d) of the regulation.

d. By substituting "Part 4" for "Parts 4 and 5" in the language in parentheses in the first sentence of Part 1 of section 9 (the Supplement to the regulation).

(Sec. 5, 40 Stat. 415, as amended, sec. 601, 64 Stat. 812, as amended; 50 U. S. C. App. 5, 50 U. S. C. App. Sup. 2131. E. O. 8843, Aug. 9, 1941, 6 F. R. 4035; 3 CFR, 1941 Supp.)

2. a. The above amendment to Regulation W is issued under the authority of section 5 (b) of the act of October 6, 1917, as amended, U. S. C., Title 50, App. sec. 5 (b); Executive Order No. 8843, dated August 9, 1941; and the "Defense Production Act of 1950", as amended, particularly section 601 thereof.

The purpose of the amendment is to discontinue the provisions of the regulation relating to "appraisal guide value" and to provide that in the case of any listed article for which a maximum retail price is prescribed by the Federal price authorities, the maximum amount of credit extended in connection with such article shall be the specified percentage of the cash price but in no event in excess of the amount which would have been permitted under the regulation if the article had been sold at the maximum retail price.

b. In the issue of the FEDERAL REGISTER for December 4, 1951 (16 F. R. 12231) a proposed amendment in this connection was set forth, together with a statement indicating that the Board was considering whether or not such an amendment would be practicable or otherwise appropriate; and to aid in such consideration the Board invited the submission to it of any relevant explanations, data, or other information. Under date of November 29, 1951, publishers of automobile appraisal guides were individually notified of the proposed amendment and invited to submit comment thereon.

The amendment set forth herein was adopted by the Board after considera-

tion of all relevant matter, including responses to the above-mentioned notices to appraisal guide publishers and the notice in the FEDERAL REGISTER. Special circumstances rendered impracticable further consultation with industry representatives, including trade association representatives, in the formulation of the above amendment, especially in view of the technical nature thereof; and, therefore, as authorized by section 709 of the Defense Production Act of 1950, the amendment has been issued without such further consultation. Section 709 of the Defense Production Act of 1950 provides that the functions exercised under such act shall be excluded from the operation of the Administrative Procedure Act (60 Stat. 237) except as to the requirements of section 3 thereof.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 51-15361; Filed, Dec. 28, 1951; 8:47 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

RP 1—RULES OF PRACTICE AND PROCEDURE

EDITORIAL NOTE: Part 853, Title 24, Chapter VIII, is hereby transferred to Chapter XXI, Title 32A and redesignated "RP 1—Rules of Practice and Procedure" and §§ 853.1–853.3 thereof are redesignated sections 1–3.

[Rent Regulation 1, Amdt. 2 to Schedule A]

RR 1—HOUSING REGULATION

SCHEDULE A—DEFENSE RENTAL AREA

CALIFORNIA, NORTH CAROLINA, AND PENNSYLVANIA

Amendment 2 to Schedule A of Rent Regulation 1—Housing Regulation. Said regulation is amended in the following respect:

In Schedule A, items 31, 215 and 262 are amended to read and new item 262b is added, all as follows:

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
California				
(31) Marysville-Chico	B	Sutter County and Yuba County, except the cities of Marysville and Wheatland, and the portion of Yuba County described as follows: All north and east of a line beginning at a point on the line between Nevada County and Yuba County where said line is intersected by the south line of T. 17 N., R. 6 E. MDB&M and running thence west along said township line to the SW. corner of said township; then north along the west line of T. 17 N., R. 6 E. and T. 18 N., R. 6 E. to the point where said line intersects the line between Butte County and Yuba County.	Mar. 1, 1942	Oct. 1, 1942
	B	In Butte County, that portion bounded on the east and north by a line beginning at a point in the boundary line between Yuba and Butte Counties, Calif., between T. 18 N., R. 5 E., and T. 18 N., R. 6 E., thence north in Butte County along the east lines of T. 18 N., R. 5 E., T. 19 N., R. 5 E. and T. 20 N., R. 5 E. to NE. corner of T. 20 N., R. 5 E., thence west along north line of T. 20 N., R. 5 E. and T. 20 N., R. 4 E. to the Feather River; bounded on the west irregularly by the Feather River; and bounded on the south by Yuba County.	do	Dec. 1, 1942
	C	In Sutter County, the township of Yuba; and Yuba County, except the cities of Marysville and Wheatland, and the portion of Yuba County described as follows: All north and east of a line beginning at a point on the line between Nevada County and Yuba County where said line is intersected by the south line of T. 17 N., R. 6 E. MDB&M and running thence west along said township line to the SW. corner of said township; then north along the west line of T. 17 N., R. 6 E. and T. 18 N., R. 6 E. to the point where said line intersects the line between Butte County and Yuba County.	June 1, 1951	Dec. 27, 1951
	A	In Nevada County, the townships of Grass Valley and Nevada; and in Yuba County, the cities of Marysville and Wheatland, and the portion of Yuba County described as follows: All north and east of a line beginning at a point on the line between Nevada County and Yuba County where said line is intersected by the south line of T. 17 N., R. 6 E. MDB&M and running thence west along said township line to the SW. corner of said township; then north along the west line of T. 17 N., R. 6 E. and T. 18 N., R 6 E. to the point where said line intersects the line between Butte County and Yuba County.	do	Do.
North Carolina				
(215) Fayetteville, N. C.	B	Cumberland and Hoke	Apr. 1, 1941	July 1, 1942
	C	do	Oct. 1, 1950	Dec. 27, 1951
Pennsylvania				
(262) Harrisburg	B	Cumberland County, except the borough of Lemoyne; Dauphin County; and in Perry County, the townships of Rye, Penn, and Wheatfield, and the municipalities of Marysville, Perdix, and Duncannon.	Mar. 1, 1942	Nov. 1, 1942
	B	Franklin County	do	Dec. 1, 1942
(262b) Lebanon	B	Lebanon County, except the borough of Richland.	do	Nov. 1, 1942
	C	do	Mar. 1, 1951	Dec. 27, 1951
	A	In Lebanon County, the borough of Richland	do	Do.

This amendment is issued as a result of joint certifications pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (1) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall be effective December 27, 1951.

Issued this 26th day of December 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-15373; Filed, Dec. 28, 1951; 8:49 a. m.]

[Rent Regulation 2]

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

This regulation is issued pursuant to the Housing and Rent Act of 1947, as amended. It was formerly designated as §§ 825.81 to 825.92 in Subpart B of Part 825, Chapter VIII, Title 24 and is hereby recodified, amended and transferred to Title 32A.

1—DEFINITIONS AND SCOPE

DEFINITIONS

Sec.
1. Act.
2. Director.
3. Area Rent Director.
4. Local Advisory Board.
5. Area rent office.
6. Person.
7. Housing accommodations.
8. Room.
9. Services.
10. Landlord.
11. Tenant.
12. Rent.
13. Term of occupancy.
14. Rooming house.
15. Motor court.
16. Tourist home.
17. Apartment.
18. Other establishments.
19. Maximum rent date.
20. The 30-day period determining the maximum rent.
21. The 60-day period determining the maximum rent.
22. Effective date of regulation.
23. Hotel Regulation.
24. Rent Regulation 3—Hotel Regulation.

SCOPE

31. Housing and defense-rental areas to which this regulation applies.

EXEMPTED HOUSING ACCOMMODATIONS

36. Farming tenants.
37. Service employees.
38. Charitable or educational institutions.
39. Entire structures.
40. Nonprofit clubs.
41. College fraternity or sorority houses.
42. Resort housing.
43. Housing accommodations subject to national rent schedule of Army, Navy or Air Force.
44. Accommodations subject to Rent Regulation 3—Hotel Regulation.

DECONTROLLED HOUSING ACCOMMODATIONS

51. Rooms in hotels.
52. Motor courts.
53. Trailer or trailer space.
54. Tourist homes.
55. Other establishments.

AUTHORITY: Sections 1 to 236 issued under sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894.

1—DEFINITIONS AND SCOPE

DEFINITIONS

SECTION 1. *Act.* "Act" means the Housing and Rent Act of 1947, as amended.

SEC. 2. *Director.* "Director" means the Director of Rent Stabilization, or the Area Rent Director or such other person or persons as the Director of Rent Stabilization may appoint or designate to carry out any of the duties delegated to him by the act.

SEC. 3. *Area Rent Director.* "Area Rent Director" means the person designated by the Director as director of the defense-rental area or such person or persons as may be designated to carry out any of the duties delegated to the Area Rent Director by the Director.

SEC. 4. *Local Advisory Board.* "Local Advisory Board" means a board created in a defense-rental area or a part thereof, the members of which are appointed by the Director upon recommendations made by the Governor or as otherwise required by section 204 (e) of the Housing and Rent Act of 1947, as amended.

SEC. 5. *Area rent office.* "Area rent office" means the office of the Area Rent Director in the defense-rental area.

SEC. 6. *Person.* "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

SEC. 7. *Housing accommodations.* "Housing accommodations" means any building structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

SEC. 8. *Room.* "Room" means a room or group of rooms, not constituting an apartment, rented or offered for rent as a housing accommodations unit in a rooming house, hotel, or other establishment. The term also means any housing accommodation in a motor court, any trailer, or ground rented as a trailer space.

SEC. 9. *Services.* "Services" includes repairs, decorating, and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

SEC. 10. *Landlord.* "Landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or any agent of any of the foregoing.

SEC. 11. *Tenant.* "Tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

SEC. 12. *Rent.* "Rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for or in connection with the use or occupancy of a room or for the transfer of a lease of such room.

SEC. 13. *Term of occupancy.* "Term of occupancy" means occupancy on a daily, weekly, or monthly basis.

SEC. 14. *Rooming house.* "Rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel or motor court in which a furnished room or rooms not constituting an apartment are rented

on a short term basis of daily, weekly or monthly occupancy. The term includes boarding houses, dormitories, residence clubs and all other establishments of a similar nature, including tourist homes, as well as rooms in private homes.

SEC. 15. *Motor court.* "Motor court" means an establishment renting rooms, cottages or cabins, supplying parking or storage facilities for motor vehicles in connection with such renting and other services and facilities customarily supplied by such establishments, and commonly known as a motor, auto or tourist court in the community.

SEC. 16. *Tourist home.* "Tourist home" means a rooming house which caters primarily to transient guests and is known as a tourist home in the community.

SEC. 17. *Apartment.* "Apartment" means a room or rooms providing facilities commonly regarded in the community as necessary for a self-contained dwelling unit, and of a class of accommodations customarily rented without variations in rent dependent on terms of occupancy and number of occupants: *Provided, however,* That a self-contained dwelling unit containing a kitchen and bath shall be deemed an apartment.

SEC. 18. *Other establishments.* "Other establishments" means multiple unit establishments, other than hotels, rooming houses, motor courts or trailer camps, containing more than two rooms (See definition of room) rented or offered for rent on a short-term basis of daily, weekly or monthly occupancy.

SEC. 19. *Maximum rent date.* "Maximum rent date" means the maximum rent date applicable in any particular defense-rental area or portion thereof as set forth in Schedule A.

SEC. 20. *The 30-day period determining the maximum rent.* "The 30-day period determining the maximum rent" means the period provided in the "Hotel Regulation" for determining, under section 4 (a) or (b) of that regulation, the maximum rent for any room.

SEC. 21. *The 60-day period determining the maximum rent.* "The 60-day period determining the maximum rent" means the period provided in sections 91 to 96 for determining the maximum rent of any rooms for a particular term and number of occupants.

SEC. 22. *Effective date of regulation.* "Effective date of regulation" means the effective date of the Rent Regulation for Transient Hotels, Residential Hotels, Rooming Houses and Motor Courts, issued pursuant to the Emergency Price Control Act of 1942, as amended, or the effective date of this regulation, whichever is applicable, to each defense-rental area, or portion thereof, as indicated in Schedule A, except where the context indicates clearly to the contrary.

SEC. 23. *Hotel Regulation.* "Hotel Regulation" means the Rent Regulation for Transient Hotels, Residential Hotels, Rooming Houses, and Motor Courts in effect on June 30, 1947, issued under authority of and pursuant to the Emergency Price Control Act of 1942, as amended.

SEC. 24. *Rent Regulation 3—Hotel Regulation.* "Rent Regulation 3—Hotel Regulation" means the hotel regulation issued under authority of and pursuant to the Housing and Rent Act of 1947, as amended.

SCOPE

SEC. 31. *Housing and defense-rental areas to which this regulation applies.* (a) This regulation (except the provisions contained in Schedule B), applies to all rooms in rooming houses, and other establishments; to all housing accommodations in motor courts and trailers; to trailer spaces; to rooms in hotels not decontrolled under section 51 or subject to the provisions of Rent Regulation 3—Hotel Regulation; to all accommodations brought under this regulation by consent of the Area Rent Director pursuant to section 63 and to all accommodations brought under the "Hotel Regulation" by consent of the Area Rent Director pursuant to that regulation, within each of the defense-rental areas and each of the portions of a defense-rental area, which are listed in Schedule A, except as provided in sections 36 to 59.

(b) In Schedule A, the "maximum rent date" and the "effective date of regulation," are given for each defense-rental area listed. More than one maximum rent date, or more than one effective date are given for different portions of a defense-rental area or for different classes of housing accommodations where the same maximum rent date or effective date is not applicable to the entire defense-rental area or to all housing accommodations in the defense-rental area.

(c) In Schedule B are set forth provisions which modify or supplement this regulation insofar as it is applicable to certain individual defense-rental areas, or portions thereof or to a class or classes of housing accommodations in a defense-rental area.

NOTE: Schedules A and B, referred to in this regulation, are now being processed for publication in a January 1952 issue of the FEDERAL REGISTER, and will be included in the 1951 Supplement to the Code of Federal Regulations. The new schedules will incorporate schedules and amendments thereto previously published in the FEDERAL REGISTER. Until such publication, information relating to specific defense-rental areas may be obtained from the Office of Rent Stabilization, Washington 25, D. C.

EXEMPTED HOUSING ACCOMMODATIONS

SEC. 36. *Farming tenants.* This regulation does not apply to rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon.

SEC. 37. *Service employees.* This regulation does not apply to dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part or all of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part.

SEC. 38. *Charitable or educational institutions.* This regulation does not apply to rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes.

SEC. 39. *Entire structures.* This regulation does not apply to entire structures or premises, as distinguished from the rooms within such entire structures or premises.

SEC. 40. *Nonprofit clubs.* This regulation does not apply to rooms in a bona fide club certified by the Director as exempt. The Director shall so certify if on written request of the landlord he finds that the club (a) is a nonprofit organization and is recognized as such by written statement of the Bureau of Internal Revenue, (b) rents rooms only to members, bona fide guests of members, and members of bona fide clubs with which the club has reciprocal arrangements for the exchange of privileges, and (c) is otherwise operated as a bona fide club.

SEC. 41. *College fraternity or sorority houses.* This regulation does not apply to rooms in a bona fide college fraternity or sorority house certified by the Director as exempt. The Director shall so certify if, on written request of the landlord, he finds that the fraternity or sorority is a bona fide organization operated for the benefit of students and not for profit as a commercial or business enterprise. This exemption shall not apply when the rooms are rented to persons who are not members of the fraternity or sorority.

SEC. 42. *Resort housing.* This regulation does not apply to rooms located in a resort community and customarily rented or occupied on a seasonal basis prior to September 1, 1951, or the effective date of regulation applicable to such rooms, whichever is later, or newly constructed or newly converted rooms which have been rented or occupied on a seasonal basis since they were first rented or occupied. "Rented or occupied on a seasonal basis" means (a) rented or occupied during the "in season" (winter or summer) and vacant during the "off season," or (b) rented during the "in season" at a substantially higher rent than during the "off season." This exemption shall be effective only from June 1st to September 30th, inclusive, in the case of summer resort housing and only from October 1st to May 31st, inclusive, in the case of winter resort housing. This provision shall not be construed to recontrol any housing accommodation which was exempt from the rent regulation under the summer or winter resort housing exemption provisions as they read on September 19, 1951.

NOTE: For resort housing exemption provisions as they read on September 19, 1951, see former § 825.81 (b) (1) (vii), 13 F. R. 5751, Oct. 2, 1948.

SEC. 43. *Housing accommodations subject to national rent schedule of Army, Navy or Air Force.* This regulation does not apply to housing accommodations rented by the Army, Navy, or Air Force at a rent fixed by a national schedule of rents of the Army, Navy, or Air Force.

SEC. 44. *Accommodations subject to Rent Regulation 3—Hotel Regulation.* This regulation does not apply to accommodations subject to the provisions of Rent Regulations 3—Hotel Regulation.

DECONTROLLED HOUSING ACCOMMODATIONS

SEC. 51. *Rooms in hotels.* Unless otherwise provided in Schedule A, this regulation does not apply to those rooms in any hotel which on June 30, 1947, were occupied by persons to whom were provided customary hotel services such as maid service, furnishing and laundering of linen, telephone and secretarial or desk service, use and upkeep of furniture and fixtures, and bellboy services (not necessarily all the types of services named need be provided in all cases as long as enough are provided to constitute customary hotel services usually supplied in establishments commonly known as hotels in the community where they are located). For purposes of this section, the term "hotel" means any establishment which is commonly known as a hotel in the community in which it is located and which provides customary hotel services.

SEC. 52. *Motor courts.* Unless otherwise provided in Schedule A, this regulation does not apply to rooms in establishments which were motor courts on June 30, 1947.

SEC. 53. *Trailer or trailer space.* Unless otherwise provided in Schedule A, this regulation does not apply to trailers and ground space rented for trailers, which on April 1, 1949 were used exclusively for transient occupancy, i. e., rented on a daily basis to tenants who had not continuously resided therein on and since March 1, 1949.

SEC. 54. *Tourist homes.* Unless otherwise provided in Schedule A, this regulation does not apply to rooms in any tourist home serving transient guests exclusively on June 30, 1947.

SEC. 55. *Other establishments.* Unless otherwise provided in Schedule A, this regulation does not apply to rooms in other establishments (see definition of other establishments in section 18) which on June 30, 1947, were occupied by persons who were provided customary hotel services such as maid service, furnishing and laundering of linen, telephone and secretarial or desk service, use and upkeep of furniture and fixtures, and bellboy service.

SEC. 56. *Rooms created by new construction or change from non-housing use.* (a) Unless otherwise provided in Schedule A, this regulation does not apply to rooms the construction of which was completed, or which were created by a change from a non-housing to a housing use, on or after February 1, 1947: *Provided, however,* That maximum rents established under the Veterans' Emergency Housing Act for priority constructed housing accommodations completed on or after February 1, 1947, shall continue in full force and effect, if such accommodations are being rented to veterans of World War II or their immediate families, who, on June 30, 1947, either (1) occupied such housing accommodations, or (2) had a right to occupy such housing accommodations at any time on or after July 1, 1947, under any agreement whether written or oral.

(b) Unless otherwise provided in Schedule A, this regulation does not apply to rooms the construction of which was completed between February 1, 1945, and January 31, 1947, both dates inclusive, and which between the date of completion and June 30, 1947, both dates inclusive, at no time were rented as housing accommodations (other than to members of the immediate family of the landlord).

(c) For purposes of this section, the time at which construction of a room shall be deemed to be "completed" shall be the date on which the room is first suitable for occupancy and all utility and service connections have been made, except for the installation of such items and the completion of such decoration work, as, in accordance with the custom of the community, are left for installation by, or to the choice of, the purchaser or the tenant.

SEC. 57. *Additional housing accommodations created by conversion.* (a) Unless otherwise provided in Schedule A, this regulation does not apply to additional housing accommodations created on or after February 1, 1947, by a conversion (i. e., a structural change in a residential unit or units involving substantial alterations and remodeling) which was created on or before March 31, 1949, but subject to the proviso clause set forth in section 56 (a).

(b) Unless otherwise provided in Schedule A, this regulation does not apply to housing accommodations as to which a decontrol order has been entered by the Director based on a conversion created on or after April 1, 1949, but subject to the proviso clause set forth in section 56 (a). On petition by the owner such a decontrol order shall be entered by the Director, if the following facts are established:

(1) There has been a structural change in a residential unit or units involving substantial alterations or remodeling; and

(2) Such change has resulted in additional, self-contained family units.

(c) For purposes of this section the term "self-contained family unit" means a housing accommodation with private access, containing one or more rooms in addition to a kitchen (including kitchenette or pullman kitchen) and a private bathroom: *Provided, however,* That where a housing accommodation meets all these conditions except that it has no private bathroom or no bathroom facilities other than toilet, the Area Rent Director may waive such requirement if he finds that the accommodation is of the type recognized as a self-contained family unit in the neighborhood in which it is located.

SEC. 58. *Non-housekeeping furnished accommodations.* Unless otherwise provided in Schedule A, this regulation does not apply to non-housekeeping furnished accommodations, located within a single dwelling unit not used as a rooming or boarding house, but only if no more than two paying tenants, not members of the landlord's immediate family live in such dwelling unit, and the remaining portion of such dwelling unit is occupied by the landlord or his immediate family. (See definition of rooming house in section 14.)

SEC. 59. *Luxury accommodations.* (a) Unless otherwise provided in Schedule A, this regulation does not apply to luxury housing accommodations as to which a decontrol order has been issued by the Director. On petition of the landlord, filed on the Director's Form D–118 in accordance with the instructions thereon, the Director shall decontrol any luxury housing accommodations if in his judgment such action will result in the creation of additional self-contained family rental units by conversion of such luxury accommodations. Such decontrol order shall be effective no earlier than 30 days after the date of its issuance and may contain such conditions as the Director may deem appropriate to effectuate the purposes of this section.

(b) For purposes of this section: (1) the term "luxury housing accommodations" means unfurnished housing accommodations, located in a multi-unit structure, rented for use by no more than a single family and having a maximum rent in excess of $290 per month or such lower rental figure as the area rent director may determine to be representative of rentals for luxury housing accommodations in his defense-rental area or any portion thereof.

(2) The terms "self-contained family unit" and "conversion" shall have the same meaning as in section 57.

MISCELLANEOUS PROVISIONS

SEC. 61. *Effect of this regulation on leases and other rental agreements.* The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this regulation.

SEC. 62. *Waiver of benefit void.* An agreement by the tenant to waive the benefit of any provision of this regulation is void. A tenant shall not be entitled by reason of this regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this regulation (July 1, 1947).

SEC. 63. *Election by landlords to bring housing under this regulation.* (a) Where a building or establishment contains one or more furnished rooms or other furnished housing accommodations whose maximum rents are determined under Rent Regulation 1, Housing Rent Regulation, the landlord may with the consent of the Director, elect to bring all housing accommodations within such building or establishment under the control of this regulation. A landlord who so elects shall file the registration statements required by sections 211 to 214 for all such housing accommodations, accompanied by a written request to the Director to consent to such election.

(b) If the Director finds that the provisions of this regulation, establishing maximum rents are better adapted to the rental practices of such building or establishment than the provisions of Rent Regulation 1, Housing Rent Regulation, he shall consent to the landlord's election by order. Accommodations so brought under this regulation shall be

considered "rooms" for the purposes of the regulation.

(c) The landlord may at any time, with the consent of the Director, revoke his election made under this section or under section 1 (e) of the "Hotel Regulation," and thereby bring under the control of Rent Regulation 1, Housing Rent Regulation, all housing accommodations previously brought under this regulation by such election. He shall make such revocation by filing a registration statement or statements under Rent Regulation 1, Housing Rent Regulation, including in such registration statement or statements all housing accommodations brought under this regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Director to consent to such revocation. The Director may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Director finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subect to the provisions of Rent Regulation 1, Housing Rent Regulation.

2—PROHIBITIONS AGAINST HIGHER THAN MAXIMUM RENTS

SEC. 71. *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall offer, demand, or receive any rent for or in connection with the use or occupancy on and after July 1, 1947, of any room subject to this regulation, within the defense-rental area, higher than the maximum rents provided by this regulation; and no person shall solicit, attempt, or agree to do any of the foregoing. A reduction in the services, furniture, furnishings or equipment required under section 76 shall constitute an acceptance of rent higher than the maximum rent. Lower rents than those provided by this regulation may be demanded or received.

SEC. 72. *Terms of occupancy*—(a) *Tenant not required to change term of occupancy.* No tenant shall be required to change his term of occupancy.

(b) *Request by tenant to change to weekly or monthly term of occupancy.* Any tenant who is in continuous occupancy on a daily basis for 7 days or more in an establishment the housing accommodations of which are controlled by this regulation, shall upon request to the landlord be permitted to change to a weekly term of occupancy: *Provided, however,* That if the landlord prefers to rent on a monthly basis and the tenant is unwilling to rent on that basis, the landlord shall be relieved of his obligation to rent on a weekly basis. Any tenant who is in continuous occupancy for 30 days or more on a daily or a weekly basis in such an establishment shall upon his request to the landlord be permitted to change to a monthly term of occupancy if any maximum rent is established for such term of occupancy. Where the landlord is required under the provisions of this section to change the tenant's term of occupancy to a weekly or monthly basis, the maximum rent and the services required for the particular term and the particular number of occupants shall be applicable from the date of the tenant's request.

(c) *Orders where facts are in dispute or in doubt.* If the landlord's duty under paragraph (b) of this section is in dispute or in doubt, the Director at any time on his own initiative or upon application of the tenant may issue an order determining the necessary facts and establishing such duty.

SEC. 73. *Security deposits*—(a) *General prohibition.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive or retain a security deposit for or in connection with the use or occupancy of any room subject to this regulation within the defense-rental area, except as provided in this section. The term "security deposit", in addition to its customary meaning includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month but shall not include rent voluntarily prepaid subsequent to possession by a tenant under a written lease for his own convenience. Paragraphs (b) to (f) of this section shall be applicable to all rooms with maximum rents established under sections 80 to 85 and 91 to 96. Paragraphs (e), (f) and (g) of this section shall be applicable to all rooms with maximum rents established under sections 91 to 96 except maximum rents established under section 92.

(b) *Maximum rent established under section 4 (a) of the "Hotel Regulation."* Where the maximum rent of the housing accommodations is or initially was established under said section 4 (a), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date determining the maximum rent.

(c) *Maximum rent established under section 4 (b) or (c) of the "Hotel Regulation"*—(1) *Renting prior to "effective date of regulation."* Where the maximum rent of the housing accommodations is or initially was established under said section 4 (b) or (c) by a renting prior to the effective date of regulation, no security deposit shall be demanded, received or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement under which the accommodations were first rented or in any order heretofore or hereafter issued with reference to such security deposit. Where such lease or other rental agreement provided for a security deposit, the Director at any time, on his own initiative or on application of the tenant, may order a decrease in the amount of such deposit or may order its elimination.

(2) *Renting on or after "effective date of regulation."* Where the maximum rent of the housing accommodations is or initially was established under section 4 (b) or (c) of the "Hotel Regulation" by a renting on or after the effective date of regulation, no security deposit shall be demanded or received.

(d) *Maximum rent established under section 4 (d) or (f) of the "Hotel Regulation."* Where the maximum rent of the housing accommodations is or initially was established under section 4 (d) or (f), no security deposit shall be demanded or received, except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) as provided in the lease or other rental agreement in effect on September 1, 1944. Where such accommodations are first rented after September 1, 1944, no security deposit shall be demanded, received, or retained.

(e) *Deposits to secure the return of certain movable articles.* Notwithstanding the preceding provisions of this section, any landlord may petition for an order authorizing the demand and receipt of a deposit to secure the return of movable articles. If the landlord shows that he has a special need therefor, the Director may enter an order authorizing a security deposit, not in excess of ten dollars to secure the return of the movable articles specified in the order.

(f) *Deposits based on prior rental practices.* Notwithstanding the preceding provisions of this section, any landlord may demand, receive, and retain, in the case of any rental agreement entered into on or after April 1, 1948, a security deposit, if said deposit does not exceed the rent for one month in addition to the otherwise authorized collection of rent in advance, if the demand, collection or retention of such a security deposit was an accepted rental practice, prior to January 30, 1942, in the area in which the premises are located, or was customarily required before that date by the same landlord in the renting of the particular controlled rooms involved, and if the tenant is allowed, under the terms of the rental agreement, to occupy the premises for the period covered by the security deposit without further payment of rent. Each Area Rent Director shall determine the rental practice or practices, prior to January 30, 1942, with reference to such security deposits in the particular area or any portion thereof.

(g) *Maximum rents established under section 91 or 96.* Where the maximum rent of a room is established on the effective date of the regulation under section 91 or 96 no security deposit shall be demanded, received or retained except in the amount (or a lesser amount) and on the same terms and conditions (or on terms or conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date determining the maximum rent: *Provided, however,* That where such lease or other rental agreement provided for a security deposit, the Director at

any time on his own initiative, or on application of the tenant, may order a decrease in the amount of such deposit, or may order its elimination.

3—MINIMUM SERVICES

SEC. 76. *Minimum space, services, furniture, furnishings, and equipment.* Every landlord shall, as a minimum, provide with controlled rooms the same living space and the same essential services, furniture, furnishings and equipment as were provided on the date determining the maximum rent, and as to other services, furniture, furnishings and equipment not substantially less than those provided on the date determining the maximum rent, plus or minus any increases or decreases made pursuant to section 129 or sections 146 to 149 or the comparable provisions of the rent regulations issued pursuant to the Emergency Price Control Act of 1942, as amended.

4—MAXIMUM RENTS

SEC. 80. *Maximum rents.* Sections 80 to 106 establish separate maximum rents for different terms of occupancy (daily, weekly, or monthly) and numbers of occupants of a particular room. Maximum rents for rooms controlled by this regulation (unless and until changed by the Director as provided in sections 111 to 168) shall be as set forth in sections 81 to 106.

ROOMS OF A CLASS UNDER CONTROL IN A RENT CONTROL AREA ON SEPTEMBER 19, 1951

SEC. 81. *Maximum rents in effect on June 30, 1947.* Except as otherwise provided in this section, the maximum rents for any room subject to this regulation shall be the maximum rents which were in effect on June 30, 1947, as established under the Emergency Price Control Act of 1942, as amended, and the applicable rent regulation issued thereunder, plus or minus adjustments under sections 111 to 168.

SEC. 82. *Maximum rents in statutory lease cases.* (a) For rooms concerning which a statutory lease is in effect the maximum rent, until such lease is terminated or expires, shall be the rent set forth in such lease.

(b) For rooms concerning which a statutory lease has heretofore terminated or expired or hereafter terminates or expires, the maximum rent shall be the rent set forth in such lease, plus or minus adjustments under sections 111 to 168: *Provided, however,* That if immediately prior to the execution of any such statutory lease alternate maximum rents were in effect for the rooms covered by such lease, the maximum rent for each alternative not referred to in the lease shall be determined as if it had been included in such lease: *And provided further,* That if such rooms are in a defense-rental area in which a general increase in maximum rents has been or is hereafter granted, the maximum rent shall be such lease rent plus or minus adjustments under sections 111 to 168, or the maximum rent in the absence of a lease, whichever is higher.

(c) A landlord shall file a report in the area rent office, on a form provided by the Director, of any termination of a statutory lease prior to the expiration date of the lease, unless such report was filed prior to April 1, 1949. Such report shall be filed within fifteen days after such termination or fifteen days after April 1, 1949, whichever is later.

(d) For purposes of this section, the term "statutory lease" means a lease as described in section 204 (b) (2) or 204 (b) (3) of the Housing and Rent Act of 1947, as amended, and former § 825.81 (b) (2) (v), as they read prior to April 1, 1949.

NOTE: For text of former § 825.81 (b) (2) (v) as it read prior to April 1, 1949, see 13 F. R. 5752, Oct. 2, 1948.

SEC. 83. *Maximum rents established on or after July 1, 1947.* For a room subject to this regulation, first rented or offered for rent on or after July 1, 1947, the maximum rent shall be the rent for each term or number of occupants for which it is first offered for rent; if such room is thereafter offered for rent for other terms or numbers of occupants, the maximum rents shall be the rents for which it is first offered for such other terms and numbers of occupants. The landlord shall file a registration statement within 10 days after any maximum rent is established under this section as provided in sections 211 to 214, except that in the case of controlled rooms which were not included as controlled rooms on March 31, 1949, such registration statement shall be filed by the end of such 10-day period, or by May 15, 1949, whichever date is later. The Director may order a decrease in the maximum rent as provided in sections 156 to 160.

SEC. 84. *First rents for terms and number of occupants not covered by section 81.* For a room having a maximum rent in effect on June 30, 1947, rented for a particular term or number of occupants for which no maximum rent is established under section 81, the maximum rent shall be the first rent for the room on or after July 1, 1947, for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same establishment. The Director may order a decrease in the maximum rent as provided in sections 156 to 160.

SEC. 85. *Rooms subject to rent schedule of Army, Navy, or Air Force Department.* Where rooms on June 30, 1947, are rented to Army, Navy, or Air Force personnel, including civilian employees of the Army, Navy, or Air Force Department for which the rent is fixed by the national rent schedule of the Army, Navy, or Air Force Department, and on or after July 1, 1947, the rents on such rooms cease to be governed by the national rent schedule of the Army, Navy, or Air Force Department, the maximum rents shall be those which would have been applicable under the appropriate subsection of section 4 of the "Hotel Regulation," or shall be established under section 83.

ROOMS OF A CLASS OR IN A DEFENSE-RENTAL AREA NOT UNDER CONTROL ON SEPTEMBER 19, 1951

SEC. 91. *Rented during the 60-day maximum rent period.* For a room rented during the 60 days ending on the maximum rent date, the maximum rent shall be the last rent charged for each term or number of occupants for which the room was rented during that 60-day period, except as hereinafter provided.

SEC. 92. *Under Federal rent control on maximum rent date.* For rooms which were under Federal rent control on the maximum rent date and thereafter decontrolled, the maximum rent shall be the maximum rent or rents in effect on the date such rooms were decontrolled.

SEC. 93. *Maximum rents created by registration.* If a maximum rent is not established under sections 91, 92, 94, or 96 for a particular term or number of occupants, the landlord may establish such maximum rent by registration. The rent shall be fair and reasonable and based on (a) the actual rents charged during the 60 days ending on the maximum rent date for the same room on any other rental basis, (b) the rent during the same period for comparable rooms in the same establishment on the same rental basis, and (c) the prevailing rent in the defense-rental area on the maximum rent date for comparable rooms on the same rental basis. The Director may order a decrease in the maximum rent as provided in sections 156 to 160.

SEC. 94. *Maximum rents created by first renting.* If a maximum rent is not established under sections 91, 92, or 93 for a particular term or number of occupants, the maximum rent shall be the rent first charged for such term or number of occupants after the effective date of the regulation.

SEC. 95. *Housing subject to rent schedule of Army, Navy, or Air Force.* Where rooms on the effective date of this regulation are rented to either Army, Navy, or Air Force personnel, including civilian employees of the Army, Navy, or Air Force Department for which the rent is fixed by the national rent schedule of the Army, Navy, or Air Force Department, and on or after the effective date of the regulation the rents on such rooms cease to be governed by the national rent schedule of the Army, Navy, or Air Force Department, the maximum rents shall be established under sections 93 or 94.

SEC. 96. *Rooms constructed and owned by the Government.* For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the maximum rent shall be the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date, as determined by the owner of such room: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Director may order a decrease in the maximum rent as provided in sections 156 to 160.

SEC. 97. *Rooms subject to a mortgage insured by the Federal Housing Com-*

missioner. For rooms which are subject to a mortgage insured, or for which a commitment to insure has been issued, by the Federal Housing Commissioner, pursuant to the National Housing Act, as amended, and for which the maximum rent is approved by the Commissioner, the maximum rent shall be the maximum rent approved by the Commissioner on effective date of regulation or on the date of first renting such rooms, whichever is later. The landlord shall within forty-five (45) days after effective date of regulation or within thirty (30) days after first renting said room, whichever is later, file a proper registration statement in the area rent office in accordance with the provisions of sections 211 to 214 together with evidence of approval of the maximum rent by the Commissioner: *Provided, however,* That where a maximum rent is established under this section and such approved rent is changed by the Federal Housing Commissioner on or before the date of final endorsement of the mortgage for insurance, the maximum rent shall be such changed rent. The landlord shall within fifteen days after such approval file a registration statement reflecting such change. If such change increases the maximum rent, the new maximum rent shall not be effective until the registration statement reflecting such change is filed in the area rent office.

RENT FIXED BY DIRECTOR

SEC. 101. *Rent fixed by order of Director.* (a) For a room for a particular term or number of occupants for which no maximum rent has been established under any other provision of this regulation, the maximum rent shall be the rent fixed by order of the Director as provided in paragraph (b) of this section.

(b) The Director at any time on his own initiative or on petition of the landlord may enter an order fixing the maximum rent and specifying the minimum services for a room for a particular term or number of occupants for which no maximum rent has been established prior to issuance of the order under any other provision of this regulation. Such maximum rent shall be fixed on the basis of the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

MEALS WITH ROOM

SEC. 106. *Meals with room.* (a) For a room with which meals were provided during the 30-day period determining the maximum rent or during the 60-day period determining the maximum rent without separate charge therefor, the maximum rent shall be the rent apportioned by the landlord from the total charge for the room and meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Director at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment, if he finds that the apportionment was unfair or unreasonable.

(b) Every landlord who provides meals with accommodations shall make separate charges for the two.

(c) In defense-rental areas with a maximum rent date of March 1, 1942, or earlier, no landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942. No landlord of a room with a maximum rent date later than March 1, 1942, shall require taking of meals as a condition of renting the room unless the room was rented or offered for rent on that basis on the maximum rent date.

5—ADJUSTMENTS AND OTHER DETERMINATIONS

GENERAL

SEC. 111. *General considerations.* (a) Sections 111 to 168 sets forth specific standards for the adjustment of maximum rents. In applying these standards and entering orders increasing or decreasing maximum rents, the Director shall give full consideration to the correction of inequities in maximum rents and the purposes and provisions of the Housing and Rent Act of 1947, as amended, as well as any previous changes in the maximum rent.

(b) In the circumstances enumerated in sections 111 to 168, the Director may issue an order changing the maximum rents otherwise allowable or the minimum space, services, furniture, furnishings or equipment required, except in cases where an order increasing or decreasing the maximum rent on the same facts and grounds was entered under the "Hotel Regulation" issued pursuant to the Emergency Price Control Act of 1942, as amended.

(c) In making adjustments under sections 111 to 168, recommendations of local advisory boards shall be approved within 30 days if appropriately substantiated and in accordance with applicable law and regulations. If any recommendation cannot be acted upon within 30 days the board shall be notified in writing of the reasons therefore. Upon approval or disapproval of any board recommendation, the board shall promptly be notified of such approval or disapproval.

SEC. 112. *Landlord's certification as to services, etc.* Any landlord who files a petition for adjustment under sections 126 to 137 shall certify that he is maintaining all services, furniture, furnishings and equipment required by this regulation and that he will continue to maintain such services, furniture, furnishings and equipment so long as the adjustment in such maximum rent which may be granted continues in effect.

SEC. 113. *Effective date of rent increase.* In all cases under sections 126 to 137 the adjustment in the maximum rent shall be effective as of the date of the filing of the landlord's application or petition: *Provided, however,* That where a maximum rent for a room is established under sections 91 to 96 of this regulation on the effective date of regulation and a petition for adjustment is filed by the landlord under section 127 or 129 within 45 days of the effective date of this regulation, the adjustment in the maximum rent shall be retroactive to the effective date of the regulation.

STANDARDS

SEC. 116. *General.* In addition to the adjustment standards which are included in certain grounds for adjustment (sections 126 to 168), standards for adjustments are set forth in sections 116 to 120. In applying these standards, the Director shall, wherever appropriate, give due consideration to general increases in the defense-rental area, since the maximum rent date for the defense-rental area, in all costs of operating and maintaining the housing accommodations, in the cost of providing services, furniture, furnishings and equipment and in the cost of construction or making major capital improvements, except insofar as the landlord has been previously compensated for such cost increases.

SEC. 117. *Difference in rental value.* In those cases involving a major capital improvement, an increase or decrease in living space, services, furniture, furnishings or equipment, or a deterioration, the adjustment in the maximum rent shall be the amount the Director finds would have been, on the maximum rent date, the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date or during the 30-day period establishing the maximum rent was fixed in contemplation of and so as to reflect such change: *And provided further,* That in cases involving an increase or decrease in living space or a change from unfurnished to fully furnished, the adjusted maximum rent shall be not less than the rent which the Director finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

SEC. 118. *Rent generally prevailing.* In cases under sections 130 and 157, the adjustment shall be on the basis of the rent which the Director finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date: *Provided, however,* That in cases under section 130, the adjustment may be on the basis of the rental agreement in force on the date or during the 30- or 60-day period establishing the maximum rent.

SEC. 119. *Seasonal rent cases.* In cases under sections 131, 133, and 160, the adjustment shall be on the basis of the rents which the Director finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on the maximum rent date.

SEC. 120. *Correction of error.* In cases under section 168, the adjustment shall be in the amount necessary to correct the error.

GROUNDS FOR INCREASE OF MAXIMUM RENT

SEC. 126. *Grounds for increase of maximum rent.* Any landlord of housing accommodations registered in accordance with the requirements of this

regulation may file a petition or application for adjustment to increase the maximum rent otherwise allowable only on the grounds set forth in sections 127 to 137.

SEC. 127. *Major capital improvement since maximum rent period.* There has been, since the period determining the maximum rent for the room under the "Hotel Regulation" or the date or order determining the maximum rent for the room under either the "Hotel Regulation" or this regulation, a substantial change in the room by a major capital improvement, as distinguished from ordinary repair, replacement and maintenance.

SEC. 128. *Change prior to maximum rent date.* There was, on or prior to the maximum rent date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement, and maintenance or a substantial increase in services, furniture, furnishings or equipment, and the rent during the 30-day period ending on the maximum rent date was fixed by a lease or other rental agreement which was in force at the time of such change or increase.

SEC. 129. *Substantial increase in space, services, furniture, furnishings or equipment.* There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the period determining the maximum rent for the room under the "Hotel Regulation" or the date or order determining the maximum rent for the room under either the "Hotel Regulation" or this regulation, or a substantial increase in the living space since June 30, 1947.

SEC. 130. *Varying rents.* The maximum rent was established by a lease or other rental agreement which provided for a higher rent at other periods during the term of such lease or agreement.

SEC. 131. *Seasonal demand.* The maximum rent for the room is substantially lower than the rent at other times of the year by reason of seasonal demand for such room. In such cases the Director's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

SEC. 132. *Inequitable rents.* The landlord is suffering an inequity in that (a) the maximum rent for the housing accommodations (other than company housing accommodations, i. e., housing accommodations regularly rented to employees of the landlord) is substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date for the defense-rental area, or (b) the landlord has not been compensated for a substantial increase in the costs of operating and maintaining the housing accommodations since the maximum rent date for the defense-rental area. The adjustment under this section shall be in an amount sufficient to relieve the inequity.

SEC. 133. *Change from year-round to seasonal renting.* The accommodations are located in a resort community, are primarily adapted to occupancy on a seasonal basis, and the establishment of seasonal variations in the rent would not, in the opinion of the Area Rent Director, be inconsistent with the purposes of the act.

SEC. 134. *Housing accommodations not yielding fair net operating income*—(a) *Grounds.* (1) The net operating income from the building is less than a fair net operating income. (The net operating income shall not be considered less than fair if it is 25 percent or more of the annual income in the case of a building containing less than five dwelling units, or is 20 percent or more in the case of a building containing five or more dwelling units.)

(2) A petition for adjustment under this section must be filed on Form D–106, provided by the Director, in accordance with the instructions contained therein.

(3) No adjustment shall be granted under this section with respect to housing accommodations regularly rented to employees of the landlord (so-called company housing) or with respect to housing accommodations in hotels as defined in section 51.

(b) *Amount of adjustment.* The adjustment under this section shall be in such amount as is necessary to bring the net operating income from the building (expressed as a percentage of annual income after adjustment) to the median net operating income of landlords generally (this median is 30 percent of annual income in the case of buildings containing less than five dwelling units, and 25 percent in the case of buildings containing five or more dwelling units): *Provided, however,* That where the Director determines that the building falls within a class which normally experienced considerably lower percentages of net operating income than the median, he may determine the amount of adjustment on a basis which will yield a lower percentage of net operating income which would be fair and equitable for that class of buildings.

(c) *Successive petitions.* Where an adjustment is granted under this section and a subsequent petition is filed thereunder, the test year used in any such subsequent petition shall begin after the end of the test year used in the last previous petition: *Provided, however,* That the Director may waive this limitation where the building has been affected by a significant increase in operating expenses which applied to all or an important class of housing accommodations in the community (such as a significant increase in property taxes or a significant increase in contract wages).

(d) *Definitions.* For purposes of this section, the term:

(1) "Building" means any structure or group of structures containing housing accommodations, having common facilities and operated as a single business enterprise.

(2) "Net operating income" means the amount by which annual income exceeds annual operating expenses.

(3) "Annual income" means the legal monthly, weekly or other periodic rent for all units in the building (both residential and commercial) on the date the petition is filed, computed on an annual basis, together with any other income earned from the operation of the building during the test year: *Provided, however,* That any adjustments in maximum rents ordered after the date the petition is filed shall be taken into account: *And provided further,* That where a unit has seasonal, alternate or other varying rents, appropriate adjustment shall be made by the Director. In any case where an uncontrolled rental unit is vacant, or is occupied in whole or in part rent free, the full rental value shall be considered the legal rent.

(4) "Annual operating expenses" means all real estate taxes and other unavoidable operating costs necessary to the operation and maintenance of the building, plus depreciation but excluding mortgage interest and amortization, property allocated to the test year or projected on an annual basis in accordance with principles determined by the Director.

(5) "Depreciation" means the amount shown for the building in the latest required Federal income tax return, but in no event more than 21 percent of the annual income for a building containing less than 5 dwelling units or 16 percent of the annual income for a building containing 5 or more dwelling units.

(6) "Test year" means the most recent full calendar or fiscal year, or any 12 consecutive months ending not earlier than 90 days before the date the petition is filed.

(e) *Pending petitions under former § 825.85 (a) (9).* (1) If a petition for adjustment under § 825.85 (a) (9), as it read immediately prior to May 3, 1949, was filed on or after April 1, 1949, and no order on such petition had been entered by the Area Rent Director prior to May 3, 1949, no adjustment may be granted under said paragraph, but if the petitioner files such additional data as may be required for purposes of an adjustment under this section the case shall be processed under this section and any adjustment granted thereunder shall be effective as of the date of filing of the petition for adjustment under said § 825.85 (a) (9).

NOTE: For the text of former § 825.85 (a) (9) as it read immediately prior to May 3, 1949, see 13 F. R. 5755, Oct. 2, 1948; 13 F. R. 8388, Dec. 28, 1948; 14 F. R. 18, Jan. 4, 1949.

(2) If a petition for adjustment under former § 825.85 (a) (9), as it read immediately prior to May 3, 1949, was filed prior to April 1, 1949, and no order on such petition had been entered by the Area Rent Director prior to May 3, 1949, the case may be processed under said paragraph as it read immediately prior to May 3, 1949, and any adjustment granted thereunder shall be effective as of the date of filing of such petition for adjustment: *Provided, however,* That if the petition contains virtually all the facts required for purposes of an adjustment under this section and such an adjustment would result in higher maximum rents than an adjustment under the paragraph under which the petition was originally filed, the case shall be processed under this section and any adjustment granted thereunder shall be effective as of April 1, 1949.

(f) *Housing accommodations in building owned by cooperative corporation or association.* (1) In the case of housing accommodations located in a building which is owned by a cooperative corporation or association, the annual income and annual operating expenses to be used for purposes of this section shall be those for all the dwelling units in such building which are rented or offered for rent by a landlord (either the cooperative corporation or association or a person holding stock or other evidence of interest in such corporation or association), and the test year shall be the latest complete fiscal year of such corporation or association.

(2) The annual income for the dwelling units involved shall include (i) the maximum rents for those units, computed on an annual basis, and (ii) a proportionate share of all other income, other than rental income from dwelling units, earned from the operation of the building during the test year.

(3) The annual operating expenses for the dwelling units involved shall include (i) a proportionate share of the annual operating expenses incurred by the cooperative corporation or association with respect to the building: *Provided, however,* That the amount of depreciation may not exceed 16 percent of the annual income for the dwelling units involved where they are located in a building containing five or more dwelling units and not more than 21 percent of such annual income in the case of a building containing less than five dwelling units, and (ii) all additional annual operating expenses incurred by the landlord which apply exclusively to the dwelling units involved (excluding, however, payments made to the cooperative corporation or association by a holder of stock or other evidence of interest therein, in his capacity as such).

(4) The term "proportionate share", as used in this paragraph, means a share based on the proportion which the number of shares of stock or other evidence of interest allocated to the dwelling units involved bears to the total number of shares of stock or other evidence of interest allocated to all the dwelling units in the building.

(5) Except insofar as they are inconsistent with the foregoing provisions of this paragraph, all the other provisions of this section shall apply to cases covered by this paragraph.

SEC. 135. *Ineffective statutory lease.* (a) The landlord and tenant entered into a written lease for the housing accommodations which they in good faith intended to be a statutory lease as described in section 204 (b) (2) or 204 (b) (3) of the Housing and Rent Act of 1947, as amended, as it read prior to April 1, 1949, and the Rent Regulations issued thereunder, and the lease was ineffective to increase the maximum rent because of failure to meet all the requirements of said act and regulations: *Provided, however,* That the deficiency was of a minor or procedural nature or has been cured by actual performance, and that the maximum rent had not been increased by a subsequent statutory lease.

(b) In cases under this section, the adjustment shall be in the amount necessary to increase the maximum rent to the amount set forth in such lease, but not above the maximum amount authorized by the act and the regulations at the time of execution of the lease: *Provided, however,* That in making such adjustment the Director shall take into consideration all adjustments made since the execution of said lease.

SEC. 136. *Company housing accommodation.* (a) The rooms are company housing accommodations, and at a time subsequent to the date determining the maximum rent the landlord and tenant agreed, as a result of a continuous process of bargaining on interrelated matters, upon a wage increase and a rent increase, and the wage increase agreed upon has been put into effect.

(b) The adjustment under this section shall be on the basis of the rent so agreed upon by the landlord and the tenant, but the adjusted maximum rent may not exceed the amount which the Director finds was generally prevailing in the defense-rental area for comparable non-company housing accommodations on the maximum rent date.

(c) For purposes of this section, the term "company housing accommodations" means rooms which are regularly rented to employees of the landlord.

SEC. 137. *Adjustment for increases in costs and prices.* (a) The room had a maximum rent in effect on July 31, 1951, or on the maximum rent date, and on June 30, 1947 and the present maximum rent does not equal 120 percent of the following: (1) The maximum rent in effect on June 30, 1947; (2) plus any increases in the maximum rent allowed or allowable under this regulation for major capital improvements or for increases in living space, services, furniture, furnishings, or equipment; and (3) minus any decreases in the maximum rent which are or may be required under this regulation because of decreases in living spaces, services, furniture, furnishings, or equipment or because of substantial deterioration or failure to perform ordinary repair, replacement or maintenance.

(b) The room had a maximum rent in effect on July 31, 1951, or on the maximum rent date, but none on June 30, 1947, and the present maximum rent does not equal 120 percent of the following: (1) The maximum rent for comparable rooms on June 30, 1947; (2) plus any increases in the maximum rent allowed or allowable under this regulation for major capital improvements or for increases in living space, services, furniture, furnishings, or equipment; and (3) minus any decreases in the maximum rent which are or may be required under this regulation because of decreases in living space, services, furniture, furnishings, or equipment or because of substantial deterioration or failure to perform ordinary repair, replacement or maintenance.

(c) *Amount of adjustment.* The adjustment under this section shall be an amount sufficient to cause the maximum rent to equal 120 percent of the amount specified in paragraphs (a) or (b) of this section, whichever is applicable: *Provided, however,* That the Director shall give appropriate consideration to orders issued under sections 157 or 160 decreasing maximum rents which were in effect on June 30, 1947: *And provided further,* That no adjustment under this section shall be effected unless the application filed by the landlord for the adjustment is sworn to.

(d) Where an adjustment under this section is based on a maximum rent in effect on June 30, 1947, and on increases or decreases, if any, in the maximum rent actually allowed under this regulation, such adjustment shall be effective automatically upon the filing of the sworn application. In all other cases under this section, such adjustment shall not be effective until an order is entered by the Director.

DECREASE IN SPACE, MINIMUM SERVICES, FURNITURE, FURNISHINGS, OR EQUIPMENT

SEC. 146. *Decrease existing on effective date.* If, on the effective date of this regulation, the services provided for a room are less than the minimum services required by section 76, the landlord shall either restore and maintain such minimum services, or within 30 days after such effective date file a petition requesting approval of the decreased services. If, on such effective date, the furniture, furnishings, equipment, or living space provided with a room are less than the minimum required by section 76, the landlord shall, within 30 days after such date, file a written report showing the decrease in furniture, furnishings, equipment, or living space.

SEC. 147. *Decrease after effective date.* Except as above provided, the landlord shall, until the accommodations become vacant, maintain the minimum services, furniture, furnishings, equipment and living space as required under section 76, unless and until he has filed a petition to decrease the services, furniture, furnishings, equipment, or living space and an order permitting a decrease has been entered thereon. When the accommodations become vacant, the landlord may on renting to a new tenant decrease the services, furniture, furnishings, equipment, or living space below the minimum; within 10 days after so renting the landlord shall file a written report with the Area Rent Director showing such decrease.

SEC. 148. *Adjustment in maximum rent for decreases.* The order on any petition under sections 146 to 149 may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by sections 146 to 149 may be decreased in accordance with the provisions of section 159.

SEC. 149. *Refund to tenant.* If the landlord fails to file the report required by sections 146 to 149 within the time specified, or decreases the services, furniture, furnishings, equipment, or living space without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or July 1, 1947, or the effective date, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the

maximum rent which may later be fixed by an order decreasing the maximum rent on account of such decrease in services, furniture, furnishings, equipment, or living space. Such amount shall be refunded to the tenant within 30 days after the date of issuance of the order unless the refund is stayed in accordance with the provisions of Rent Procedural Regulation 2. If the Director finds that the landlord was not at fault in failing to comply with sections 146 to 149, the order may relieve the landlord of the duty to refund.

GROUNDS FOR DECREASE OF MAXIMUM RENT

SEC. 156. *Grounds for decrease of maximum rent.* The Director at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds set forth in sections 157 to 160.

SEC. 157. *Rent higher than rent generally prevailing.* (a) The maximum rent for the room is substantially higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date, taking into consideration all relevant factors including any adjustments under sections 126 to 137 which may be applicable.

(b) Where the maximum rent for said room was originally established under paragraph (b) or (c) of section 4 of the Rent Regulation for Transient Hotels, Residential Hotels, Rooming Houses and Motor Courts, issued pursuant to the Emergency Price Control Act of 1942, as amended, or where the maximum rent is established under sections 83, 84 or 94, and the Director finds that the landlord or any successor landlord knew of his obligation to register and negligently failed or deliberately refused to do so, the rent received for any rental commencing on or after July 1, 1948, or the effective date of regulation or the date determining the maximum rent, whichever is later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under this section: *Provided, however,* That the order under this section may relieve the landlord or any successor landlord of the duty to refund the excess rent for any rental period during which the landlord neither negligently failed nor deliberately refused to register. The landlord or any successor landlord shall have the duty to refund only if the order under this section is issued in a proceeding commenced by the Director within 3 months after the date of the filing of such registration statement. If a refund is required by the order under this section such amount shall be refunded to the tenant within 30 days after the date of the issuance of the order unless the refund is stayed in accordance with the provisions of Rent Procedural Regulation 2.

SEC. 158. *Substantial deterioration.* There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order establishing its maximum rent.

SEC. 159. *Decrease in space, services, furniture, furnishings or equipment.* There has been a decrease in the minimum services, furniture, furnishings or equipment required by section 76 since the date or order establishing the maximum rent or a substantial decrease in the living space since June 30, 1947.

SEC. 160. *Seasonal demand.* The maximum rent for the room is substantially higher than the rent at other times of year by reason of seasonal demand for such room. In such cases the Director's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

MISCELLANEOUS PROCEEDINGS

SEC. 166. *Orders where facts are in dispute, in doubt, or not known.* If the maximum rent, or any other fact necessary to the determination of the maximum rent, or the living space, services, furniture, furnishings, or equipment required to be provided with the accommodations, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Director at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact, or determining the living space, services, furniture, furnishings and equipment required to be provided with the accommodations which order shall be effective to establish the maximum rent from the effective date of regulation or date of first renting, whichever is later, but in no event earlier than July 1, 1947. If the Director is unable to ascertain such fact, or facts, he shall enter the order on the basis of the rent which he finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date and, where appropriate, may determine the living space, services, furniture, furnishings and equipment included in such rent.

SEC. 167. *Interim orders.* Where a petition is filed by a landlord on one of the grounds set out in sections 126 to 137, or a proceeding is initiated by the Director under section 166, the Director may enter an interim order increasing or fixing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order in such proceeding. The receipt by the landlord of any rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

SEC. 168. *Adjustment to correct determinations of maximum rent.* The Director at any time on petition of the landlord or on his own initiative may enter an order adjusting the maximum rent where the maximum rent in effect on June 30, 1947, was established by an order issued under the rent regulations promulgated pursuant to the Emergency Price Control Act of 1942, as amended, and such order was based upon an erroneous determination of fact or law.

6—REMOVAL OF TENANT

GROUNDS

SEC. 181. *Restrictions on removal of tenant.* So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any room by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for surrender of possession, or for entry of judgment upon the tenant's confession for breach of the covenants thereof, or which otherwise provides contrary to sections 181 to 206, unless the room is registered as required by this regulation and except on one or more of the grounds specified in sections 181 to 184 or unless the landlord has obtained a certificate in accordance with section 191.

SEC. 182. *Violating substantial obligation of tenancy.* The tenant is violating a substantial obligation of his tenancy, other than an obligation to pay rent or an obligation to surrender possession of the room, and has continued or failed to cure such violation after a written notice by the landlord that the violation cease.

SEC. 183. *Nuisance or illegal or immoral use.* Under the local law, the tenant (a) is committing or permitting a nuisance in the room and such nuisance continues after written notice to the tenant that the same shall cease or (b) is using or permitting a use of such room for an immoral or illegal purpose.

SEC. 184. *Tenant's refusal of access to landlord.* The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee, or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement.

EVICTION CERTIFICATES

SEC. 191. *Eviction certificates.* No tenant shall be removed or evicted on grounds other than those stated in sections 181 to 184 or other than for nonpayment of rent unless on petition of the landlord and where the room is registered as required by this regulation, the Director certifies that an eviction of the character proposed is not inconsistent with the purposes of the act or this regulation and would not be likely to result in the circumvention or evasion thereof.

SEC. 192. *Eviction certificates; waiting period; valid use of certificates.* Certificates issued under section 191 at the expiration of three months from the date of the filing of the petition, shall authorize an action to be brought for removal or eviction of the tenant instituted in accordance with requirements of local law: *Provided, however,* That:

(a) In any case where the Director finds that by reason of exceptional circumstances extreme hardship would result he may waive all or part of the waiting period;

(b) No provision of this section shall be construed to prohibit a landlord who has obtained a certificate under section 191 from serving, prior to the expiration of the waiting period specified in said certificate, such notice or notices as may be required by the local law, provided that such notice or notices do not demand surrender of possession until expiration of said waiting period;

(c) In the event that the landlord's intention or circumstances so change that the premises, possession of which is sought, will not be used for the purpose specified in the certificate, the certificate shall not be effective to authorize eviction or removal of the tenant through court action or otherwise.

NOTICE

SEC. 201. *Notice required.* (a) No tenant shall be removed or evicted from a room by court process or otherwise and no action or proceeding shall be commenced for such purpose upon any of the grounds permitted in sections 181 to 184, including an action based upon nonpayment of rent, unless and until the landlord shall have given written notice to the area rent office and to the tenant as provided in this section.

(b) Every such notice to a tenant to vacate or surrender possession of a room shall state that the room is registered as required by this regulation, and shall state the ground under this regulation upon which the landlord relied for removal or eviction of the tenant, the facts necessary to establish the existence of such ground, and the date when the tenant is required to surrender possession. Where the basis relied upon for the removal or eviction of a tenant is nonpayment of rent the notice shall also include a statement of the maximum rent, the amount of the rent due and the rental period or periods for which such rent is due. A written copy of every notice required by this section shall be filed with the area rent office within 24 hours after such notice is given to the tenant.

(c) Every such notice shall give to the tenant a period not less than the following periods prior to the date specified therein for the surrender of possession and to the commencement of any action for removal or eviction: In cases arising under sections 182, 183 or 184, a period not less than 10 days; and in cases where the basis relied upon in such notice for removal or eviction is non-payment of rent, a period not less than three days.

(d) If judgment for possession is sought by virtue of a confession of judgment or by virtue of a warrant of attorney authorizing confession of such judgment against the tenant, the date of commencement of the action as referred to sections 181 to 206 shall be deemed to be the date of the filing in court of the first papers in the proceedings for the entry of such judgment.

(e) At the time of commencing any action to remove or evict a tenant, on any ground permitted in sections 181 to 184, including an action based upon non-payment of rent, the landlord shall give written notice thereof to the area rent office, stating the title of the case, the number of the case where that is possible, the name and address of the tenant, and the ground or basis relied upon under this section on which removal or eviction is sought.

EXCEPTIONS

SEC. 206. *Exceptions.* The provisions of sections 181 to 201 do not apply to:

(a) *Subtenants.* A subtenant or other person who occupies or occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless the rental agreement between the landlord and tenant contemplated the subletting by the tenant of the entire accommodations or substantially all of the individual units therein, or unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(b) *Daily tenants.* A tenant occupying the room on a daily basis except that the provisions of sections 181 to 201 do apply to a tenant who has been in occupancy after the effective date of regulation in an establishment for a continuous period of 7 days or more, if such tenant has requested a weekly term of occupancy and shall apply also to any such tenant who is in continuous occupancy for a period of 30 days or more after the effective date of regulation, if such tenant has requested a monthly term of occupancy and a maximum rent is established for a monthly term of occupancy.

(c) *Public housing.* Notwithstanding any other provisions of sections 181 to 206, the United States or any State or local public agency may maintain an action or proceeding to recover possession of any room operated by it where such action or proceeding is authorized by the statute or regulations under which such accommodations are administered.

(d) *One or two paying tenants in non-housekeeping furnished rooms.* A tenant or tenants occupying non-housekeeping furnished rooms located within a single dwelling unit, but only if (a) no more than two paying tenants, not members of the landlord's immediate family, live in such dwelling unit, and (b) the remaining portion of such dwelling unit is occupied by the landlord or his immediate family: *Provided, however,* That this exception shall not apply unless the room is registered where required by this regulation.

7—REGISTRATION AND RECORDS

SEC. 211. *Registration*—(a) *Registration statements.* Every landlord of a controlled room rented or offered for rent shall file in triplicate a written statement on the form provided therefor containing such information as the Director may require, to be known as a registration statement, registering all maximum rents for such room unless such maximum rents were heretofore registered in accordance with the provisions of former § 825.87 as it read on September 19, 1951: *Provided, however,* That a landlord must re-register any maximum rents for rooms which are re-controlled after September 19, 1951, unless such maximum rents were in effect under Federal rent control on the new maximum rent date. If the maximum rent was established or re-established after September 19, 1951, such maximum rent must be registered within 45 days after effective date of the regulation or within 10 days after the date it is established, whichever is later, through amending a registration previously filed or by filing a new registration.

NOTE: For provisions of former § 825.87 as it read on September 19, 1951, see 13 F. R. 5757, Oct. 2, 1948; 14 F. R. 3676, July 2, 1949; 14 F. R. 4752, July 27, 1949; 16 F. R. 7587, Aug. 3, 1951.

(b) *Notice of change in identity of landlord.* Where, since the filing of a registration statement, there has been a change in the identity of the landlord, by transfer of title or otherwise, the new landlord shall file a notice of such change on a form provided for that purpose, to be known as a notice of change in identity, within 15 days after the change or July 1, 1947, whichever is later.

(c) *Notice to landlord.* Any notice, order or other process or paper directed to the person named on the registration statement as landlord at the address given thereon, or where a notice of change in identity has been filed, to the person named as landlord and at the address given in the most recent such notice, shall, under the circumstances prescribed in Rent Procedural Regulation 2, constitute notice to the person who is then the landlord.

(d) *Registration where maximum rent formerly determined under section 4 (d) of the "Hotel Regulation."* The provisions of sections 211 to 214 shall be applicable to any housing accommodations whose maximum rent was determined under section 4 (d) of the "Hotel Regulation" on its sale by the owning agency, and on or before July 10, 1947, or within ten days after the sale of such accommodations, whichever is the later, the new landlord shall file registration statements as provided in section 211: *Provided, however,* That if the housing accommodations are sold to the United States or a State of the United States or any of its political subdivisions, or any agency of the foregoing, the provision in section 212 (b) shall continue to be applicable.

SEC. 212. *Posting maximum rents.* (a) Every landlord shall post and thereafter keep posted conspicuously in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and all numbers of occupants. Such maximum rents shall be posted within 45 days after the effective date of regulation or within 10 days after the par-

ticular maximum rent is established, whichever is later. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. The card or sign shall also contain the following statement: "Any tenant who is in continuous occupancy in this establishment for 7 days or more after the effective date of the rent regulation shall upon his request to the landlord be permitted by the landlord to change to a weekly term of occupancy and to pay the maximum rent for that room for that term of occupancy from and after the date of his request. Similarly, any tenant who is in continuous occupancy in this establishment for 30 days or more after the effective date of the rent regulation shall, upon his request, be permitted to change to a monthly term of occupancy if a maximum rent is established for that term of occupancy. Tenants renting on a weekly or a monthly basis are protected by the eviction provisions of the rent regulation.

(b) The provisions of paragraph (a) of this section shall not apply to rooms whose maximum rents were established under section 4 (d) of the "Hotel Regulation." The owner of such rooms shall post a copy of the registration statement in a place where it will be available for inspection by the tenants of such rooms.

SEC. 213. *Receipt for amount paid.* No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

SEC. 214. *Records*—(a) *Existing records.* Every landlord of a room subject to this regulation rented or offered for rent shall preserve, and make available for examination by the Director, all his existing records showing or relating to (1) the rent for each term and number of occupants for such room rented or regularly offered for rent during the 30-day period or 60-day period determining the maximum rent for such room, whichever period is applicable, (2) the rent on any date determining a maximum rent for such room for a particular term and number of occupants under section 4 (c) of the "Hotel Regulation."

(b) *Record keeping.* Every landlord of an establishment containing more than 20 rooms subject to this regulation, rented or offered for rent, shall keep, preserve, and make available for examination by the Director, records showing the rents received for each room, the particular term and number of occupants for which such rents were charged, and the name and permanent address of each occupant; every other landlord shall keep, preserve, and make available for examination by the Director, records of the same kind as he has customarily kept relating to the rents received for rooms.

8—EVASION

SEC. 221. *General.* The maximum rents and other requirements provided in this regulation shall not be evaded, either directly or indirectly in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or by tying agreement, or otherwise.

SEC. 222. *Purchase of property as condition of renting.* Specifically, but without limitation on the foregoing, no person shall require a tenant or prospective tenant to purchase or agree to purchase furniture or any other property as a condition of renting rooms unless the prior written consent of the Director is obtained.

9—ENFORCEMENT

SEC. 226. *Civil action.* Persons violating any provisions of this regulation, are subject to civil enforcement actions, and suits for treble damages as provided for by the act.

SEC. 227. *Inspection.* Any person who rents or offers for rent, or acts as a broker or agent for the rental of, any controlled housing accommodations or housing accommodations which the Director has reason to believe may be controlled housing accommodations shall, as the Director may from time to time require, furnish information under oath or affirmation or otherwise permit inspection and copying of records and other documents and permit inspection of any such housing accommodations. Any person who rents or offers for rent, or acts as a broker or agent for rental of, any controlled housing accommodations shall, as the Director may from time to time require, make and keep records and other documents and make reports.

PROCEDURE

SEC. 231. *Procedure.* All registration statements, reports, and notices provided for by this regulation shall be filed with the area rent office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Rent Procedural Regulation 2.

ADOPTION OF ORDERS

SEC. 236. *Adoption of orders.* All certificates and orders issued pursuant to sections 1 (b) (5), 1 (b) (6), 2 (b) (2), 2 (c) (3), and (5) of the "Hotel Regulation" which were in effect on June 30, 1947, shall be deemed to continue in effect under this regulation, unless and until revoked or modified by the Director.

Issued this 27th day of December 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-15421; Filed, Dec. 28, 1951; 8:55 a. m.]

[Rent Regulation 3, Amdt. 21 to Schedule A]

RR 3—HOTEL REGULATION

SCHEDULE A—DEFENSE RENTAL AREA

CALIFORNIA, NORTH CAROLINA, AND PENNSYLVANIA

Amendment 21 to Schedule A of Rent Regulation 3—Hotel Regulation. Said regulation is amended in the following respect:

New items 31, 215 and 262b are hereby added to Schedule A as follows:

Name of defense-rental area	State	County or counties in defense-rental areas under Rent Regulation 3	Maximum rent date	Effective date of regulation
(31) Marysville-Chico	California	In Nevada County, the townships of Grass Valley and Nevada; in Sutter County, the township of Yuba; and Yuba County.	June 1, 1951	Dec. 27, 1951
(215) Fayetteville, N. C.	North Carolina	Cumberland and Hoke	Oct. 1, 1950	Do.
(262b) Lebanon	Pennsylvania	Lebanon	Mar. 1, 1951	Do.

This amendment is issued as a result of joint certifications pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (1) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204(m) of said act.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall be effective December 27, 1951.

Issued this 26th day of December 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-15374; Filed, Dec. 28, 1951; 8:50 a. m.]

TITLE 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 24—SANITATION, HEALTH, AND QUARANTINE

MISCELLANEOUS AMENDMENTS

1. Section 24.97 is amended to read as follows:

§ 24.97 *Quarantine of dogs and cats; quarantine period.* Every dog or cat brought into the Canal Zone from off the Isthmus shall be held in quarantine, under veterinary inspection, for a period of not less than four months.

[Reg. 119pp.1, Regs. Gov., Apr. 20, 1951]

2. The following new sections are added, following § 24.102:

§ 24.102a *Designation of countries where foot-and-mouth disease or rinder-*

pest exists; importations prohibited. Notice is hereby given that the Governor of the Canal Zone has determined that foot-and-mouth disease or rinderpest, which are contagious, communicable and quarantinable diseases, exists in the following designated countries: All the countries of South America, Albania, Arabia, Belgium, Bulgaria, Burma, Ceylon, China, Chosen (Korea), Czechoslovakia, Denmark, Federated Malay States, Finland, France, Germany, Great Britain, Greece, Hungary, India, Indochina, Iran (Persia), Iraq, Italy, Luxembourg, Mexico, Netherlands, Palestine, Philippine Islands, Poland, Portugal, Rumania, Spain, Straits Settlements, Sweden, Switzerland, Syria, Thailand (Siam), Turkey, Union of Soviet Socialist Republics (Russia), Yugoslavia; all countries on the continent of Africa; the islands of the Malay Archipelago; and the various islands of the Mediterranean.

[Reg. 119qq.1, Regs. Gov., Mar. 5, 1951, eff. Mar. 15, 1951]

§ 24.102b *Cattle, sheep, etc., and meats; importations prohibited; exceptions.* The importation into the Canal Zone from any country listed in § 24.102a of cattle, sheep and other ruminants or swine, domestic or wild (including the docking in any Canal Zone port of any vessel having on board as sea stores or otherwise such live animals from any such country), or of fresh, chilled or frozen beef, veal, mutton, lamb, or pork, is prohibited, except that such prohibition shall not apply (a) to meats that are imported in hermetically sealed cans processed in such a manner that they do not contain infectious virus of the nature indicated, or (b) to cured or cooked meats, provided that all bones shall have been completely removed in the country of origin; that the meat shall have been held in an unfrozen, fresh condition for at least 7 days immediately following the slaughter of the animals from which it was derived; and that the meat shall have been thoroughly cured by the application of dry salt or by soaking in a solution of salt, or shall have been thoroughly cooked and properly wrapped.

[Reg. 119qq.2, Regs. Gov., Mar. 5, 1951, eff. Mar. 15, 1951]

§ 24.102c *Organs, blood, glands and other parts and products of animals; importations prohibited.* The importation into the Canal Zone from any country listed in § 24.102a of organs, fresh or dried blood, glands or secretions of animals, biologcal products for veterinary use, hides (fresh or salted), wool, hair, bones, horns, feet, glue stock, dirty eggs, dirty containers, manure, waste products of animal origin, milk, cheese, or other dairy products that have not been pasteurized, straw and hay for forage and packing, earth and living plants, bone meal, meat flour, residues of greases, other products used for feeding, fertilizers, or other possible infectious agents, is prohibited.

[Reg. 119qq.3, Regs. Gov., Mar. 5, 1951, eff. Mar. 15, 1951]

§ 24.102d *Dressed poultry; importation restricted.* The importation into the Canal Zone from any country listed in § 24.102a of dressed poultry is prohibited unless the feet of such poultry have already been removed at a point above the spur or spur core.

[Reg. 119qq.4, Regs. Gov., Mar. 5, 1951, eff. Mar. 15, 1951]

§24.102e *Equines, canines, felines, birds, etc.; disinfection.* Equines (horses, mules, asses), canines, felines, birds, or other non-susceptible animals coming from countries listed in § 24.102a may be detained at the port of entry pending the application of such disinfection procedures as may be deemed necessary by the Health Director, such detention and disinfection to be at the expense of the owner or other person responsible for the importation.

[Reg. 119qq.5, Regs. Gov., Mar. 5, 1951, eff. Mar. 15, 1951]

§ 24.102f *Garbage or waste material.* No garbage or waste material from vessels, planes, or other carriers coming from countries listed in § 24.102a, or having aboard as stores or supplies any animal, meat, product or thing mentioned in §§ 24.102b to 24.102d, from such countries, shall be unloaded in the Canal Zone, including Canal Zone waters: *Provided, however,* That such garbage or waste material, when contained in tight receptacles, may be unloaded for incineration, under the direction of the Health Director or his representative.

[Reg. 119qq.6, Regs. Gov., Mar. 5, 1951, eff. Mar. 15, 1951]

§ 24.102g *Disposition of animals, etc. refused admission.* Animals, meats, products and other things that are prohibited importation under the regulations in this part shall not be unloaded from any carrier in the Canal Zone except as may be authorized by the Health Director or by his authority; shall be removed from the Canal Zone on the same carrier, unless otherwise authorized, and meanwhile shall be retained on board the carrier, unless otherwise authorized, under such isolation and other safeguards as may be required by the Health Director or by his authority; and shall be destroyed or otherwise disposed of as the Health Director may direct, without compensation or indemnification, and at the expense of the carrier, unless they are removed from the Canal Zone within a reasonable time as determined by the Health Director.

[Reg. 119qq.7, Regs. Gov., Mar. 5, 1951, eff. Mar. 15, 1951]

(Sec. 1, 39 Stat. 527, as amended; 2 C. Z. Code 371, 372, 48 U. S. C. 1310)

CROSS-REFERENCE: For penalty for violations, under section 373, title 2, Canal Zone Code, see § 24.41.

F. K. NEWCOMER,
Governor.

[F. R. Doc. 51-15427; Filed, Dec. 28, 1951; 10:18 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[Docket No. 30920]

PART 10—UNIFORM SYSTEM OF ACCOUNTS FOR STEAM ROADS

AMORTIZATION ACCOUNTING FOR EMERGENCY CARRIER FACILITIES

At a general session of the Interstate Commerce Commission held at its office in Washington, D. C., on the 21st day of December A. D. 1951.

Investigation of the matters and things involved in this proceeding having been made, and a report containing the findings of fact and conclusions thereon having been adopted on the date hereof, which report is hereby referred to and made a part hereof:[1]

It is ordered, That operating expense accounts 270½ (§ 10.270½), "Road-Amortization of defense projects," and 331½ (§ 10.331½), "Equipment-Amortization of defense projects," as prescribed for steam railroads by order dated September 22, 1941, be and they are hereby canceled, such cancellation to become effective January 1, 1952; and,

It is further ordered, That any charges which have been included in accounts 270½ (§ 10.270½), "Road-Amortization of defense projects," and 331½ (§ 10.331½), "Equipment-Amortization of defense projects," applicable to these emergency facilities acquired after December 31, 1949, shall be reversed; and

It is further ordered, That all steam railroads subject to provisions of the Interstate Commerce Act, shall be served with a copy of this order and notice of the order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12)

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-15371; Filed, Dec. 28, 1951; 8:49 a. m.]

[Docket No. 30920]

PART 24—UNIFORM SYSTEM OF ACCOUNTS FOR PERSONS FURNISHING CARS OR PROTECTIVE SERVICES AGAINST HEAT OR COLD

AMORTIZATION ACCOUNTING FOR EMERGENCY CARRIER FACILITIES

At a general session of the Interstate Commerce Commission held at its office in Washington, D. C., on the 21st day of December A. D. 1951.

Investigation of the matters and things involved in this proceeding hav-

[1] Filed as part of the original document.

ing been made, and a report containing the findings of fact and conclusions thereon having been adopted on the date hereof, which report is hereby referred to and made a part hereof:[1]

It is ordered, That operating expense accounts 339 (§ 24.339), "Amortization-Car service facilities," 389 (§ 24.389), "Amortization-Icing facilities," 439, (§ 24.439) "Amortization-Refrigeration service facilities," and 489 (§ 24.489), "Amortization-Heater service facilities," as prescribed for persons furnishing cars or protective service against heat or cold, be and they are hereby canceled, such cancelation to become effective January 1, 1952; and

It is further ordered, That any charges which have been included in accounts 339 (§ 24.339), "Amortization-Car service facilities," 389 (§ 24.389), "Amortization-Icing facilities," 439 (§ 24.439), "Amortization-Refrigeration service facilities," and 489 (§ 24.489), "Amortization-Heater service facilities," applicable to emergency facilities acquired after December 31, 1949, shall be reversed; and

It is further ordered, That all persons furnishing cars or protective service against heat or cold subject to provisions of the Interstate Commerce Act shall be served with a copy of this order and notice of the order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12)

By the Commission.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-15417; Filed, Dec. 28, 1951; 8:49 a. m.]

Subchapter C—Carriers by Water

[Docket No. 30920]

PART 324—UNIFORM SYSTEM OF ACCOUNTS FOR CARRIERS BY INLAND AND COASTAL WATERWAYS

AMORTIZATION ACCOUNTING FOR EMERGENCY CARRIER FACILITIES

At a general session of the Interstate Commerce Commission held at its office in Washington, D. C., on the 21st day of December A. D. 1951.

Investigation of the matters and things involved in this proceeding having been made, and a report containing the findings of fact and conclusions thereon having been adopted on the date hereof, which report is hereby referred to and made a part hereof: [1]

It is ordered, That operating expense account 414 (§ 324.414), "Amortization of defense projects," as prescribed for carriers by inland and coastal waterways, be and it is hereby canceled, such cancellation to become effective January 1, 1952; and,

It is further ordered, That any charges which have been included in account 414 (§ 324.414), "Amortization of defense projects," applicable to emergency facilities acquired after December 31, 1949, shall be reversed; and

It is further ordered, That all carriers by inland and coastal waterways subject to provisions of the Interstate Commerce Act shall be served with a copy of this order and notice of the order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12)

By the Commission.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-15418; Filed, Dec. 28, 1951; 8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 968]

[Docket No. AO-173-A5]

HANDLING OF MILK IN THE WICHITA, KANS., MARKETING AREA

DECISION WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND A PROPOSED ORDER AMENDING THE ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Wichita, Kansas, on August 9, 1951, pursuant to notice thereof which was issued on July 31, 1951 (16 F. R. 7627).

Upon the basis of the evidence introduced at the hearing and the record thereof the Assistant Administrator, Production and Marketing Administration, on November 29, 1951, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on December 5, 1951 (16 F. R. 12273).

[1] Report filed as part of F. R. Doc. 51-15371.

The material issues of record related to:

(1) The classification of concentrated milk;

(2) Differentials to be added to basic formula prices in determining prices for Class I and Class II milk;

(3) The price of Class III milk;

(4) Provisions applicable to handlers subject to other Federal orders who distribute milk priced under such orders in the Wichita marketing area;

(5) Definitions of "approved dairy farmer" and "approved plant"; and

(6) The classification of milk transferred to unapproved plants.

By a decision of the Secretary of Agriculture issued on August 21, 1951 (16 F. R. 8551) and subsequent amendment to the order effective September 1, 1951, action has been taken with respect to the differentials to apply in the determination of Class I and Class II milk prices (Issue No. 2) for the period through December 31, 1951. Such decision, however, specifically reserved for later decision the evidence with respect to any change in such differentials for periods subsequent to December 31, 1951.

Findings and conclusions. The findings and conclusions with respect to these material issues, all of which are based on the evidence introduced at the hearing and the record thereof, are as follows:

1. Fresh concentrated milk and milk drinks disposed of for fluid consumption should be classified as Class I milk on the basis of their volume before concentration.

Fresh concentrated milk for fluid consumption is a product that has appeared in several milk markets in recent months. The product is promoted as a direct and acceptable substitute for fresh whole milk, indistinguishable from regular fluid milk when water is added. The record indicates that while it has not yet been sold in Wichita, health regulations would require that it be processed from approved milk. It appears desirable that the product be specifically named in the order as a Class I product, and that the order specify the volume of milk to be classified as Class I milk when sold as concentrated milk or milk drinks. The latter should be the volume of milk used to produce the concentrated product sold.

2. The differentials to be added to basic formula prices in determining Class I and Class II prices should be increased.

The Class I price of the Wichita order (except for the emergency action resulting from this hearing) is determined by adding $1.45 to the basic formula price for all months except April, May and June, for which months $1.00 is added. For Class II milk the differentials added to basic formula prices are 25 cents less than those for Class I milk.

Producers proposed that the Class I price differential should be $1.85 for all months of the year, and that the Class II price differential should be $1.60.

Upon the basis of the record of this hearing, action has been taken to establish Class I differentials of $1.80 for the months of September through December

1951, with Class II differentials $1.55 for the same months. This action was taken on the basis of the extent to which the supply of milk is currently out of balance with demand for milk, a subnormal supply of home grown feeds for the fall and winter season, and the need for additional time to permit analysis of the factors involved in longer range pricing problems of the market.

Analysis of the factors which appear to have contributed to the present prospect of an acute shortage of milk supplies in the Wichita market indicates that certain of these will continue over a long period of time and that others will be of shorter duration. The Wichita market appears to have a permanent increase in population, for which a larger total supply of milk will be required regularly. The additional increases in population and incomes currently taking place are largely associated with present defense efforts and may be expected to continue so long as the necessity for such efforts exists. On the other hand, present prospects for feed supplies will likely affect milk supplies through the coming winter feeding season.

It is concluded that the differentials of $1.80 for Class I milk and $1.55 for Class II milk should be continued through March 1952 in order that the price level established for the fall months may be continued throughout the current winter feeding season. Thereafter, Class I and Class II differentials should be somewhat higher than those previously in effect.

The present differentials became effective January 1, 1949. Since 1948, Class I and Class II milk sales have increased more than forty percent. In 1949 and 1950 production increased faster than did sales so that in 1950 the Wichita market had a supply of milk that was almost adequate throughout the year, in contrast to shortages that had prevailed in previous years. From 1950 to 1951 however the rate of increase in sales has accelerated (19.5 percent increase in sales for July 1951 over those of July 1950) while production has been stationary, despite excellent pasture conditions through July.

An expansion of the area from which Wichita draws its milk supplies appears to be necessary if the continuing market needs are to be supplied under normal conditions. The most logical areas appear to be to the north and to the east in the area from which cities of the Neosho Valley market draw their milk supplies. At present Wichita receives about 12,000 pounds of milk daily from counties proposed for inclusion in the Neosho Valley marketing area. This area is distant from Wichita and hauling costs are substantially greater to Wichita than to the nearby markets. With a more stable pricing mechanism in prospect for the Neosho Valley market, producers in this area will likely continue to supply Wichita only at a difference in price sufficient to cover at least the difference in transportation to market. Differentials of $1.65 for Class I milk and $1.40 for Class II milk would appear to provide opportunity for expansion of the Wichita milkshed and additional incentive to producers within the principal area of production to increase their production under normal conditions. Such differentials represent an average increase of 31.25 cents above those previously in effect.

It was proposed that the Class I and Class II differentials be the same for all months of the year. In support of this proposal it was argued that the seasonal variation in production is presently much less than for many markets, that seasonal changes in differentials have at times in the past been offset by premiums from handlers, that some seasonality of Class I and Class II prices results from changes in basic formula prices and that seasonal changes in resale prices cannot be shown to have increased sales in spring and summer months. It was further urged that the base plan of the Wichita order was the factor that has brought about a decreased seasonal variation in production. No testimony was offered in opposition to this proposal. While a comparison of the pricing and base-rating provisions of the order proposed for the Neosho Valley market and those of the Wichita order including this proposal indicates that there may be increased attraction to the Wichita market in the months of flush production, it is concluded that this fact alone does not warrant denying the proposal. It is therefore concluded that the Class I differential should be $1.65 and the Class II differential should be $1.40 during each month of the year.

The recommended decision in these proceedings provided that, beginning July 1, 1952, these differentials should be further adjusted on the basis of the relationship between receipts of approved milk from producers and Class I and II sales. Exceptions received from a producer's association request that there be opportunity to present further evidence concerning the methods for effecting such adjustment. There is opportunity to receive and consider such further evidence before the proposed effective date. The provision is therefore not adopted at this time.

3. The price for Class III milk should be the butter-powder formula price of the order, less 15 cents per hundredweight for the months of April through July only, but should not be less than the average prices paid for ungraded milk at the three manufacturing plants now used to determine Class III prices.

The price for Class III milk is presently determined from the prices paid for ungraded milk at three nearby manufacturing plants. Producers proposed to substitute the paying prices of a fourth plant for those of one of these three plants and the addition of 10 cents per hundredweight.

The volume of producer milk in Class III on the Wichita market has never been very substantial. For 1950, the year in which the volume of such milk was greatest, it was less milk than the total of what handlers reported as plant shrinkage and as used in the manufacture of ice cream; records for January and July 1950 indicate that this was true in both the winter and the summer season. The record indicates that ice cream is a Class III product from which handlers realize a relatively high value.

The present Class III price for the first six months of 1951 has averaged considerably less than the average prices officially reported as paid Kansas farmers for 3.8 percent milk for manufacturing uses, being 36 cents less than the average price for milk used in the manufacture of butter and creamery by-products, 27 cents less than the average price paid for milk used in making American cheese, and 30 cents less than the average price paid for milk used in making canned and evaporated milk. These differences have largely developed since 1949 when the average Class III price was 7 cents higher than the cheese plant average price, 4 cents higher than the condensery average price, and 8 cents less than the butter plant average price. The present Class III price is much less representative of the general level of prices for manufacturing milk in the area than it was in 1949. The state average prices are now much closer to the butter-powder formula price of the order than they were in 1949, while the Class III price has decreased somewhat relative to the butter-powder formula price. For the first six months of 1951 the butter-powder formula price exceeded the Class III price by an average of 33.5 cents; in 1949 it exceeded the Class III price by an average of 29 cents.

The producer proposal would have increased the Class III price by 22 cents for the first six months of 1951. A somewhat greater increase would be required to bring the Class III price equal to the current level of Kansas manufacturing milk prices. The butter-powder formula price of the order appears to be a reasonable basis for determining the value of Class III milk, particularly during periods of relatively short supply. However, during the months of April through July, when supplies of manufacturing milk in the area are more abundant a seasonal reduction of 15 cents should apply as an assurance that all approved milk not needed for fluid use will continue to be handled. The Class III price in no event should be less than the average paying price of the three local plants now named in the order. These provisions appear to provide a more logical basis for the Class III price than the proposal to add an arbitrary amount over the paying prices of selected plants. They are consistent with provisions recently incorporated in the orders for the nearby Kansas City and Oklahoma City markets.

4. Provision should be included in the order that milk which is priced under another Federal order will not be pooled under the Wichita order when a handler subject to the other order makes direct disposition of such milk as Class I or Class II milk in the marketing area, and to require such handler to pay into the pool any amount by which his cost of milk so disposed of is less than the prices of the Wichita order.

Currently the Wichita order makes no provision for the possibility that a plant which is subject to the regulatory provisions of another milk marketing agreement or order may be approved for Wichita and make direct disposition of Class I or Class II milk in the marketing area. It would be impracticable to at-

tempt to regulate the handler operating such a plant under two separate orders with respect to the same milk. While there are no present indications that such disposition of milk will be made in Wichita, the recent issuance of orders for nearby markets makes it desirable that provisions be adopted at this time. It appears reasonable that the effective regulation should be that of the area in which such a handler makes the greater portion of his sales, and that if the handler disposes of the greater portion of his sales in another regulated area he should be partially exempt from the provisions of the Wichita order. In order to insure equity among handlers, such a handler should not be permitted to purchase milk for sale as Class I or Class II milk in either area at less than the price paid by regulated handlers of the area. Therefore, it should be provided that if the price such handler is required to pay under the other order for milk classified as Class I or Class II milk under the Wichita order is less than the price provided by the Wichita order, he should pay to the producer-settlement fund an amount equal to the difference on all milk disposed of as Class I or Class II milk within the marketing area. Such handler should also be required to report to the market administrator regularly so that the amount of milk disposed of within the marketing area may be ascertained.

5. The definitions of "approved dairy farmer" and "approved plant" should be amended to recognize permits and approvals issued by the health authorities of Sedgwick County, Kansas.

Recent legislation has authorized the health authorities of Sedgwick County, Kansas, to issue producer permits and plant approvals for Grade A milk sold within three miles of the city limits of Wichita. This area is wholly within the presently defined marketing area. It is appropriate therefore that the "approved dairy farmer" and "approved plant" definitions of the order be amended to specify this health authority as well as that of the City of Wichita in the determination of what milk will be priced under the order.

6. The provisions for classification of milk, skim milk and cream transferred from an approved plant to an unapproved plant should be revised.

The present provisions of the order classify milk and skim milk as Class I milk and cream as Class II milk, if moved to an unapproved plant more than 100 miles distant. Transfers to unapproved plants within 100 miles which distribute fluid milk and cream are classified in the highest use remaining in such plants after giving priority to the receipts of milk direct from the farmers who regularly supply it. Transfers to unapproved plants within 100 miles which do not distribute fluid milk or cream are classified as Class III milk. There is, however, an overriding exception to these rules which classifies as Class III milk that sold as "type C for manufacturing only" from any approved plant which regularly receives "type C" (ungraded) milk up to the extent of the receipts of such milk.

The record indicates no necessity for moving milk or skim milk more than 100 miles for manufacturing purposes. Cream, however, may be moved much greater distances and there is an active demand at some seasons for ice cream in markets more than 100 miles distant. Some provision should be made to permit Wichita handlers to compete for these markets without paying producers Class II (fluid cream) prices for the milk from which such cream is separated. Grade A certification is required by most markets in this area of the country for cream imported for use as fluid cream. Therefore, it appears appropriate to classify as Class II milk that cream moved under Grade A certification to unapproved plants more than 100 miles distant and as Class III milk if so moved without Grade A certification.

The exception with reference to ungraded receipts at approved plants appears to classify milk more on the basis of receipts than of movement or utilization. The allocation provisions of the order would appear to make unnecessary any special classification provisions for plants receiving ungraded milk if so changed as to recognize that Class II milk (other than that disposed of to unapproved plants) is required by local health regulations to be from producer sources when they are available. It is therefore concluded that the exceptions for plants receiving ungraded milk should be deleted and the allocation provisions changed to provide that other source milk should be deducted from Class I sales to unapproved plants before being deducted from local Class II sales. In conformity with this conclusion a provision concerning the classification of milk received from producer handlers is also deleted.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk, in the marketing area and the minimum prices specified in the proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The proposed order, as amended, and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Ruling on exceptions. Within the period reserved exceptions to certain of the findings, conclusions, and actions recommended by the Assistant Administrator were filed on behalf of interested parties. In arriving at the findings, conclusions and regulatory provisions of this decision each of such exceptions was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings, conclusions and actions decided upon herein are at variance with any of the exceptions pertaining thereto such exceptions are denied for the reasons set forth in the findings and conclusions relating to the issue to which the exception refers.

Determination of representative period. The month of October 1951 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of an order amending the order, as amended, regulating the handling of milk in the Wichita, Kansas, marketing area in the manner set forth in the attached amending order is approved or favored by producers who during such period were engaged in the production of milk for sale in the marketing area specified in such marketing order, as amended.

Annexed hereto and made a part hereof are two documents entitled respectively "Marketing Agreement Regulating the Handling of Milk in the Wichita, Kansas, Marketing Area," and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Wichita, Kansas, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 26th day of December 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

Order[1] *Amending the Order, as Amended, Regulating the Handling of Milk in the Wichita, Kansas, Marketing Area*

§ 968.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determina-

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

tions may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Wichita, Kansas, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supplies of and demand for milk in the said marketing area and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the Wichita, Kansas, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Delete § 968.5 and substitute therefor the following:

§ 968.5 *Approved dairy farmer.* "Approved dairy farmer" means any person who holds a currently valid permit or license issued by the Health Department of the City of Wichita, Kansas, or of Sedgwick County, Kansas, for the production of milk to be disposed of as Grade A milk.

2. Add the following as the last sentence of § 968.6: "This definition shall not include any approved dairy farmer with respect to milk received by a handler who is partially exempted from the provisions of this order pursuant to § 968.64."

3. Delete § 968.7 and substitute therefor the following:

§ 968.7 *Approved plant.* "Approved plant" means any plant approved by the health authorities of the City of Wichita, Kansas, or of Sedgwick County, Kansas, for the handling of milk to be disposed of for fluid consumption as milk in the marketing area and currently used for any or all of the functions of receiving, weighing (or measuring), sampling, cooling, pasteurizing or other preparation of milk for sale or disposition as milk or cream for fluid consumption in the marketing area.

4. Delete § 968.40 and substitute therefor the following:

§ 968.40 *Basis of classification.* All milk and milk products purchased, received or produced by each handler, including milk of a producer which a cooperative association causes to be delivered to a plant from which no milk is disposed of in the marketing area, shall be reported by the handler in the classes set forth in § 968.41 subject to the following conditions:

(a) Milk or skim milk moved in fluid form from an approved plant to an unapproved plant located more than 100 miles from the approved plant shall be Class I milk;

(b) Cream moved in fluid form from an approved plant to an unapproved plant located more than 100 miles from the approved plant shall be Class II milk if moved under Grade A certification and shall be Class III milk if so moved without Grade A certification;

(c) Milk, skim milk, or cream moved in fluid form from an approved plant to an unapproved plant located not more than 100 miles from the approved plant and from which fluid milk and cream are distributed, shall be Class I if moved in the form of milk or skim milk and Class II if moved in the form of cream, unless the purchaser certifies that the market administrator may verify his records. If the market administrator is permitted to verify the necessary records such milk, skim milk, or cream, shall be classified as follows: (1) Determine the classification of all milk received in the unapproved plant, and (2) allocate the milk, skim milk, or cream received from the approved plant to the highest use classification remaining after subtracting in series beginning with the highest use classification, the receipts of milk at such unapproved plant directly from dairy farmers who the market administrator determines constitute its regular source of milk for Class I and Class II use.

(d) Milk, skim milk or cream moved from an approved plant to an unapproved plant located not more than 100 miles from the approved plant and which does not distribute fluid milk or cream shall be classified as Class III milk.

(e) Milk or skim milk sold or disposed of by a handler who purchases or receives milk from producers to another handler shall be classified as Class I milk: *Provided,* That if such milk or skim milk, except milk or skim milk sold or disposed of by such handler to a producer-handler, is reported by the receiving handler or by the disposing handler as having been utilized as Class II milk or Class III milk, it shall be classified accordingly but in no event shall the amount classified in any class exceed the total use in such class by the receiving handler.

(f) Cream sold or disposed of as fluid cream by a handler who purchases or receives milk from producers to another handler shall be classified as Class II milk: *Provided,* That if such cream, except cream sold or disposed of by such handler to a producer-handler, is reported by the receiving handler or by the disposing handler as having been utilized as Class III milk, such cream shall be classified accordingly but in no event shall the amount classified in any class exceed the total use in such class by the receiving handler.

5. Delete § 968.41 (a) and substitute therefor the following:

(a) Class I milk shall be all milk and skim milk (1) disposed of for consumption as milk, skim milk, buttermilk, flavored milk and milk drinks, (2) used to produce concentrated (including frozen) milk, flavored milk or flavored milk drinks disposed of for fluid consumption neither sterilized nor in hermetically sealed cans, and (3) all milk not classified as Class II milk or Class III milk pursuant to paragraphs (b) and (c) of this section.

6. Delete § 968.43 (c) and substitute therefor the following:

(c) Determine the total pounds of milk in Class I as follows: (1) Convert to pounds the quantity of Class I milk on the basis of 2.15 pounds per quart (except that in the case of converting milk, flavored milk, or flavored milk drinks in concentrated form such conversion shall apply to the volume of milk used in the production of the concentrated product rather than the volume of finished product), and subtract the weight of any flavoring materials included, (2) multiply the result by the average butterfat test of such milk, and (3) if the quantity of butterfat so computed when added to the pounds of butterfat in Class II milk and Class III milk, computed pursuant to paragraphs (d) (2) and (e) (4) of this section is less than the total pounds of butterfat received computed in accordance with paragraph (b) of this section, an amount equal to the difference shall be divided by 3.8 percent and added to the quantity of milk determined pursuant to subparagraph (1) of this paragraph.

7. Delete § 968.44 and substitute therefor the following:

§ 968.44 *Allocation of milk classified.* Determine the allocation of milk received from producers as follows:

(a) Subtract from the total pounds of milk in each class the pounds of milk which were received from other handlers and used in each class.

(b) Subtract from the remaining pounds of milk in each class the pounds of milk received from sources other than producers and other handlers in the following sequence: (1) Class III milk, (2) Class II milk transferred to unapproved plants, (3) Class I milk transferred to unapproved plants, (4) other Class II milk, and (5) other Class I milk.

8. Delete § 968.50 and substitute therefor the following:

§ 968.50 *Class prices.* Each handler shall pay at the time and in the manner hereinafter set forth not less than the following price per hundredweight of milk

received during each delivery period from producers:

(a) *Class I milk.* The price per hundredweight shall be the price determined pursuant to § 968.51 plus $1.80 for each month through March 1952, and plus $1.65 for each month thereafter.

(b) *Class II milk.* The price per hundredweight shall be the Class I price less 25 cents.

(c) *Class III milk.* The price per hundredweight shall be the higher of:

(1) A price computed pursuant to the alternative method specified in § 968.51, using prices for butter and nonfat dry milk solids for the current delivery period, less 15 cents for each of the delivery periods of April, May, June and July only; or

(2) The average of the prices paid or to be paid for ungraded milk received during the delivery period at the following plants now operated by the listed companies: At Wichita, Kansas, by the DeCoursey Cream Company; at Blackwell, Oklahoma, by Wilson and Company; and at Arkansas City, Kansas, by the Arkansas City Cooperative Milk Association.

9. Add the following as § 968.64:

§ 968.64 *Handlers subject to other orders.* In the case of any handler (as defined herein) who the Secretary determines disposes of a greater portion of his milk as Class I and Class II milk in another marketing area regulated by another milk marketing agreement or order issued pursuant to the act, the provisions of this order shall not apply except as follows:

(a) The handler shall with respect to his total receipts and utilization of milk, make reports to the market administrator at such time and in such manner as the market administrator may require and shall allow verification of such reports;

(b) If the price which such handler is required to pay under the other Federal order to which he is subject for milk which would be classified as Class I milk or Class II milk under this order is less than the price provided by this order, such handler shall pay to the market administrator, for deposit in the producer-settlement fund, with respect to all milk disposed of (except to other handlers) as Class I milk or Class II milk within the marketing area, an amount equal to the difference between the value of such milk as computed pursuant to this order and its value as determined pursuant to the other order to which he is subject.

[F. R. Doc. 51-15379; Filed, Dec. 28, 1951; 8:51 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 671]

MINIMUM WAGE RATES IN THE COMMUNICATIONS, UTILITIES, AND MISCELLANEOUS TRANSPORTATION INDUSTRIES IN PUERTO RICO

NOTICE OF PROPOSED RULE MAKING

On May 11, 1951, pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended, hereinafter called the act, the Administrator of the Wage and Hour Division, United States Department of Labor, by Administrative Order No. 411, appointed Special Industry Committee No. 10 for Puerto Rico, hereinafter called the Committee, and directed the Committee to investigate conditions in a number of industries in Puerto Rico specified and defined in the order, including the communications, utilities, and miscellaneous transportation industries, and to recommend minimum wage rates for employees engaged in commerce or in the production of goods for commerce in such industries.

For purposes of investigating conditions in and recommending minimum wage rates for the communications, utilities, and miscellaneous transportation industries in Puerto Rico, the Committee included three disinterested persons representing the public, a like number representing employers, and a like number representing employees in the communications, utilities, and miscellaneous transportation industries, and was composed of residents of Puerto Rico and of the United States outside of Puerto Rico.

After investigating economic and competitive conditions in the communications, utilities, and miscellaneous transportation industries in Puerto Rico, the Committee filed with the Administrator a report containing (a) its recommendation that the industry be divided into separable divisions for the purpose of fixing minimum wage rates; (b) the titles and definitions recommended by the Committee for such separable divisions of the industry; and (c) its recommendations for minimum wage rates to be paid employees engaged in commerce or in the production of goods for commerce in such divisions of the industry.

Pursuant to notice published in the FEDERAL REGISTER on August 14, 1951, and circulated to all interested persons, a public hearing upon the Committee's recommendations was held before Hearing Examiner E. West Parkinson, as presiding officer, in Washington, D. C. on September 25, 1951, at which all interested parties were given an opportunity to be heard. On November 7, 1951, oral argument was held before me as Acting Administrator.

Upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the act, particularly sections 5 and 8 thereof, I have concluded that the recommendations of the Committee for minimum wage rates in the communications, utilities, and miscellaneous transportation industries, in Puerto Rico, as defined, were made in accordance with law, are supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of sections 5 and 8 of the act.

I have set forth my decision in a document entitled "Findings and Opinion of the Acting Administrator in the Matter of the Recommendations of Special Industry Committee No. 10 for Puerto Rico for Minimum Wage Rates in the Communications, Utilities, and Miscellaneous Transportation Industries in Puerto Rico", a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington 25, D. C.

Accordingly, notice is hereby given, pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001) and the rules of practice governing this proceeding, that I propose to approve the recommendations of the Committee for the communications, utilities, and miscellaneous transportation industries and to revise this part to read as set forth below to carry such recommendations into effect.

Within 15 days from publication of this notice in the FEDERAL REGISTER, interested parties may submit written exceptions to the proposed action above described. Exceptions should be addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C. They should be submitted in quadruplicate, and should include supporting reasons for any exceptions.

Sec.
671.1 Wage rates.
671.2 Notices of order.
671.3 Definitions of the communications, utilities, and miscellaneous transportation industries in Puerto Rico and its divisions.

AUTHORITY: §§ 671.1 to 671.3 issued under sec. 8, 63 Stat. 915; 29 U. S. C. 208.

§ 671.1 *Wage rates.* (a) Wages at a rate of not less than 75 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the airlines division of the communications, utilities, and miscellaneous transportation industries in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

(b) Wages at a rate of not less than 75 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the tourist bureau and ticket agency division of the communications, utilities, and miscellaneous transportation industries in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

(c) Wages at a rate of not less than 70 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the telephone division of the communications, utilities, and miscellaneous transportation industries in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

(d) Wages at a rate of not less than 65 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the gas utility division of the communications, utilities, and miscellaneous transportation industries in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

(e) Wages at a rate of not less than 55 cents per hour shall be paid under section 6 of the Fair Labor Standards Act

of 1938, as amended, by every employer to each of his employees in the radio broadcasting division of the communications, utilities, and miscellaneous transportation industries in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

(f) Wages at a rate of not less than 75 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the miscellaneous division of the communications, utilities, and miscellaneous transportation industries in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

(g) Wages at a rate of not less than 75 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the cable and radiotelephone division of the communications, utilities, and miscellaneous transportation industries in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

§ 671.2 *Notices of order.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the communications, utilities, and miscellaneous transportation industries in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed, from time to time, by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe.

§ 671.3 *Definitions of the communications, utilities, and miscellaneous transportation industries in Puerto Rico and its divisions.* (a) The communications, utilities, and miscellaneous transportation industries in Puerto Rico to which this part shall apply is hereby defined as follows:

The industry carried on by any wire or radio system of communication or by messenger service; by any concern engaged in the production and distribution of gas, electricity or steam, the distribution of water or the operation of sanitation facilities; and by any concern engaged in transportation by air, rail, pipeline, motor vehicle, or other means, or in related activities including stevedoring, consolidating, forwarding, crating and boxing:

Provided, however, That the definition shall not include any activity included in the definitions of the wage orders applicable in Puerto Rico for the railroad, railway express, and property motor transport industry, the shipping industry, the sugar manufacturing industry, or any other industries in Puerto Rico for which wage orders have been issued.

(b) The separable divisions of the industry, as defined in paragraph (a) of this section, to which this part and its several provisions shall apply, are hereby defined as follows:

(1) *Telephone division.* This division consists of the industry carried on by any telephone system of communication.

(2) *Cable and radiotelephone division.* This division consists of the industry carried on by any cable, telegraph, or radiotelephone system of communication or by any concern engaged in messenger service.

(3) *Radio broadcasting division.* This division consists of the industry carried on by any concern engaged in radio broadcasting.

(4) *Gas utility division.* This division consists of the industry carried on by any concern engaged in the production or distribution of gas.

(5) *Airline division.* This division consists of the industry carried on by any concern engaged in the transportation of passengers, cargo, or mail by air.

(6) *Tourist bureau and ticket agency division.* This division consists of the industry carried on by any tourist bureau, ticket agency, or similar concern engaged in making travel arrangements for, or selling transportation tickets to, passengers or tourists.

(7) *Miscellaneous division.* This division consists of all products and activities included within the Communications, Utilities, and Miscellaneous Transportation Industries in Puerto Rico, as defined in paragraph (a) of this section, except products or activities included within the telephone division, cable and radiotelephone division, radio broadcasting division, gas utility division, airline division, or tourist bureau and ticket agency division, as defined in this section.

Signed at Washington, D. C., this 26th day of December 1951.

F. GRANVILLE GRIMES, JR.,
Acting Administrator,
Wage and Hour Division.

[F. R. Doc. 51–15378; Filed, Dec. 28, 1951; 8:51 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 40, 41, 42, 45, 61]

EMERGENCY EVACUATION PROVISIONS FOR AIRCRAFT PRESENTLY CERTIFICATED

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Civil Aeronautics Board has under consideration the adoption of a proposed Special Civil Air Regulation in substance as hereinafter set forth.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rule, communications must be received by January 30, 1952. Copies of such communications will be available after February 1, 1952, for examination by interested persons at the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

On November 15, 1951, the Board adopted Amendment 4b–4 which provided new emergency evacuation provisions for transport category airplanes. The Board considers that the prior emergency evacuation provisions contained in the Civil Air Regulations are inadequate for larger transport-type airplanes, particularly with high density seating. It now appears desirable that emergency evacuation rules with at least partial retroactive effect should be adopted to insure that sufficient exists will be available for evacuation of passengers in the event of an emergency.

The Board is of the opinion that small passenger-carrying airplanes present no evacuation problem since their passenger capacity is severely limited by the space available. On the other hand, large, passenger-carrying transport airplanes (more than 12,500 pounds maximum certificated take-off weight) are not so limited by space and accordingly create a safety problem in evacuation when additional passengers are carried. A survey has been made of the present passenger capacities of various airplanes now in service or about to be placed in air carrier passenger service. In accordance with the results of this survey maximum passenger capacities have been recommended, taking into consideration the numbers already authorized and the estimated future capabilities compared to similar airplanes.

It is therefore proposed to limit the number of occupants for each passenger transport airplane not subject to the provisions of Amendment 4b–4 to the maximum number now authorized or in some cases a greater number. In the event it is desired to increase the number of occupants above that authorized by the table in the proposed regulation, it will be necessary to conduct an emergency evacuation test to demonstrate that all occupants can be evacuated in general at a rate of one second per occupant but not to exceed 90 seconds for complete evacuation. It should also be noted that crew members are counted in determining the number of occupants. The evacuation demonstration shall be performed in either the wheels-up or wheels-extended condition, whichever is determined by the Administrator to be the most critical. In the event an increase in the number of occupants cannot be approved after such a test, it will be permissible to provide additional emergency exits sufficient to evacuate the occupants within the required time or the airplane may be altered to comply with requirements contained in Amendment 4b–4.

It is therefore proposed to promulgate a Special Civil Air Regulation substantially as follows:

1. *Applicability.* Contrary provisions of the Civil Air Regulations notwithstanding, any person operating a large transport airplane listed in paragraph 2 shall comply with the provisions of this regulation: *Provided,* That compliance with this regulation shall not be required if it is demonstrated that the airplane complies fully with the provisions of Amendment 4b–4 to the Civil Air Regulations, adopted November 15, 1951.

2. *Maximum number of occupants.* Occupants in excess of the number specified in the following table shall not

be carried in large transport airplanes subject to this regulation: *Provided, however,* That a greater number may be authorized by the Administrator of Civil Aeronautics in the event a test conducted in accordance with the provisions of paragraph 3 demonstrates the adequacy of exits for emergency evacuation.

Airplane type:	*Number of occupants (including crew)*
DC-3	31
DC-3 (Super)	35
DC-4	83
DC-6	87
DC-6B	87
CV-240	51
L-18	17
L-049	[1] 87
L-649	[1] 69
L-749	[1] 69
L-1049	94
M-202	53
M-404	45
B-307	61
B-377	96
C-46	67

[1] L-049, L-649, L-749. 87 occupants authorized in airplanes with 6 exits and 1 passenger door in the passenger area. 69 occupants authorized in airplanes with 4 exits and 1 passenger door in the passenger area.

3. *Test procedure.* Evacuation demonstration tests shall be under the supervision of a representative of the Administrator of Civil Aeronautics and shall be conducted in accordance with, and meet the following requirements:

(a) All participants shall be on the ground within 30 seconds after the starting signal or in a time equal to one second per person, whichever is greater, but in no case shall the total time exceed 90 seconds.

(b) The airplane shall be either in the normal passenger loading attitude, i. e., with wheels extended, or in the wheels-retracted attitude, whichever is considered by the Administrator to be the most critical condition.

(c) All exits shall be closed and latched before starting the test.

(d) Emergency descent equipment shall be installed as may be required by § 4b.362 (c) (9) of the Civil Air Regulations in effect immediately prior to the adoption of Amendment 4b-4 adopted November 15, 1951.

(e) All occupants shall be seated with safety belts fastened at the start of the test: *Provided,* That in case all seats are not installed, the supervising representative of the Administrator shall designate stations for the standees approximating the condition of normal seating and shall indicate when they are permitted to begin evacuation.

(f) Adjustable seat backs near emergency exits shall, at the start of the test, be positioned to provide maximum interference with the use of the exit. Seat backs may be moved during the test.

(g) All exits may be used in the test.

(h) The participants may be briefed once regarding the test. However, the location and method of operation of the emergency exits and doors shall not be disclosed.

(i) As nearly as possible, the participants shall be representative of passengers in normal flights, i. e., 20 percent between the ages of 15 and 26; 60 percent between the ages of 27 and 45; and 20 percent between the ages of 46 and 65. Women shall comprise 20 percent of each age group.

(j) All participants shall wear clothing and shoes normally worn in traveling.

(k) After the starting signal all crew members may assist in the test consistent with the operator's emergency evacuation procedure.

This regulation is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposal may be changed in the light of comments received in response to this notice of proposed rule making.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interprets or applies secs. 601-610, 52 Stat. 1007-1012, as amended; 49 U. S. C. 551-560)

Dated: December 26, 1951, at Washington, D. C.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 51-15376; Filed, Dec. 28, 1951; 8:50 a. m.]

NOTICES

DEPARTMENT OF STATE

[Public Notice 105]

FIELD ORGANIZATION

DECEMBER 20, 1951.

Notice is hereby given that the Field Organization of the Department of State, as published in the FEDERAL REGISTER for May 3, 1950 (15 F. R. 2498), is amended as follows:

Effective August 31, 1951, the American Consulate at Poznan, Poland, was officially closed to the public.

Effective November 28, 1951, the American Legation at Vienna, Austria, was designated an Embassy.

For the Secretary of State.

H. J. HENEMAN,
Director, Management Staff.

[F. R. Doc. 51-15372; Filed, Dec. 28, 1951; 8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 18635]

JAPANESE MOTION PICTURES

In re: Rights in Japanese motion pictures.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the producers of the motion pictures listed in Exhibit A, set forth below and made a part hereof, who, if individuals, there is reasonable cause to believe are residents of Japan and who, if partnerships, associations, corporations or other business organizations, there is reasonable cause to believe are organized under the laws of, or have or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in Japan, are nationals of a designated enemy country (Japan);

2. That the property described as follows:

(a) All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law, of the United States and of the several States thereof, in, to and under the following:

(1) The motion pictures listed in said Exhibit A, including, but not limited to, the exclusive right to exhibit same in whole or in part by any means within the United States, all rights to arrange, adapt, revise, translate, and duplicate said motion pictures in whole or in part, and every copyright, claim of copyright, right to copyright, and right to renew the copyright or copyrights in said motion pictures,

(2) The screen plays, scenarios, and shooting scripts upon which said motion pictures are based, including, but not limited to, all motion picture and television rights therein, and every copyright, claim of copyright, right to copyright, and right to renew the copyright or copyrights in said screen plays, scenarios, and shooting scripts,

(3) The rights to dramatize, perform, represent, and reproduce on motion picture film those portions of the published and unpublished works subject to copyright, other than the above mentioned screen plays, scenarios, and shooting scripts, which underlie or are embodied in said motion pictures and to exhibit such film by any means in the United States,

(b) All right, title, interest, and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the persons referred to in subparagraph 1 hereof, and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations), whether or not named in this Order, who are citizens and residents of, or which are organized under the laws of or have their principal places of business in, Japan, and are nationals of such designated enemy country, in, to and under the following:

(1) All prints in the United States of the motion pictures listed in said Exhibit A,

(2) All arrangements, adaptations, revisions, dramatizations, translations, and versions of the motion pictures listed in said Exhibit A,

(3) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the property described in subparagraphs 2 (a), 2 (b) (1) and 2 (b) (2) of this order,

(c) All monies and amounts, and all rights to receive monies and amounts, by way of damages, royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the property described in subparagraphs 2 (a) and 2 (b) of this Order, and

(d) All causes of action accrued or to accrue at law or in equity with respect to the property described in subparagraphs 2 (a), 2 (b), and 2 (c) hereof, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law and by statute for the infringement of any copyright, for the violation of any right and for the breach of any obligation described in or affecting the aforesaid property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons referred to in subparagraphs 1 and 2 (b) hereof, the aforesaid nationals of a designated enemy country (Japan) and is property of, or is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interest therein held by, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 19, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Transliterated title	*English translation*
Komori	Bat.
Hikoki no Kumitate	Airplane Assembly.
Chikara no Shori	Strength of Victory.
Norakura Gocho	Cpl. Norakuro.
Solomon Gunto	Solomon Islands.
Shushoku no Bisho	Happily Employed.
Shoidan no Jikken	Experiment of Incendiary Bomb.
Shoi no Gynjin	Wounded Soldier.
Tekka Butai	Iron Unit.
Hi no Yama	Mountain of Fire.
Gunkoku Nanayome	War Line Bride.
Mabo no Nankai Funsenki	Mabo's South Sea Battle Story.
Gunkoku Nanayome no Haha	War Line Bride's Mother.
Malay Senki	Battle of Malay.
Kira no Nikichi	Nikichi Kira.
Tempo Suikoden	Famous Story of Rempo Era.
Osaru no Kantai	Monkey Fleet.
Yoshitsune Monegatari	Story of Yoshitune.
Adauchi Rokken Nagaya	Revenge at the Apartment House.
Akatsuki no Uta	Song of Dawn.
Kizuku Tairyoku	Physical Training.
Oinaru Koshin	The Grand March.
Hino Yama	Mountain of Fire.
Kibei Kyoren	Cavalry Training.
Kaboroshi Jo	Mysterious Castle.
Ahiru no Rikusentei	Duck's Marine.
Jugo no Kodomo	Homeland Children.
Koki Nisen Roppiakunen	2600 (1940).
Kageyaku Momozono	Beautiful Peach Orchard.
Gyama no Sodoin	Animals in the Mountain.
Seiki no Daishukuten	Great Ceremony of the Century.
Hokoku Bakushin	Service to the Country.
Shushoku no Hohoemi	Happily Employed.
Benkei to Ushiwaka	Bonkei and Ushiwaka.
Rikujo Undokai	Athletic Meet.
Isamashiki Keibo-dan	Brave Guard.
Kizuku Tairyoku	Physical Training.
Asahi News (series)	Asahi News.
Miizu ni Sowan	Following Emperor's Wish.
Takamatsu no Miya Hogei Shashin	Welcome Prince Takamatsu.
Wake no Kiyomaro	Kiyomaro Wake.
Omochabako Series	Toy Box Series.
Omochabako Series Tokkyu Kantai	Toy Box Series, Fast Navy.
Muriyari Ichiman Mairu	Struggle of 10,000 miles.
Koya no Kaiju	Beast in the Wildness.
Shakai no Takara	Treasure of Society.
Seijo Heika Oshima Gyokyo	Emperor's Visit to Oshima.
Seizan-so no Aki	Autumn at Seizan Villa.
Chuboku Naosuke	Naosuke, the Loyal Servant.
Ei-hondo Kogeki	Raid on England.
Shonen Kokuhei	Youth Pilot.
Seiga o Gakusn ni Mukau	Emperor's Visit to School.
Tekusuke Monogatari	Story of Tekusuke.
Warera no Seinendan	Our Youth Organization.
Manga Sarukichi wa Katta	Sarukiohi Wan.
Kangeki no Iohiya	One Night of Excitement.
Kyoiku Sumo	Sumo Lesson.
Sora no Momotaro	Momotaro in Airplane.
Chikemuri Kojinyama	Battle of Kojinyama.
Odoru Kenkobi	Healthy Body.
Saru Masamune	Monkey Masamune.
Sora no Momotaro	Momotaro in Airplane.
Saru Masamune	Monkey Masamune.
Toyono Mura	Toyono Village.
Norakura Goeho	Cpl. Norakura.
Hysteria no Shujuso	Variety of Hysteria.
Higashikuni no Miya Gotairin	Prince Higashikuni Visits to Shrine.
Onjo no Haha	Cordial Mother.
Shussei Heishi o Okuru Uta	Song of Farewell to Soldiers' Going Over Sea.
Mabo no Rakkansan Butai	Mabo's Parachute Corps.
Sho-chan no Omochabako	Sho-chan's Toy Box.
Chushin Seimei	Center of Life.
Kyoiku Sumo	Sumo Lesson.
Nanyo Shoto	South Sea Island.
Shochen Kumebo Chinsenki	Sho-chan and Kumabo's Funny Story.
Cartoon Komori	Bat Cartoon.
Sarukichi wa Katta	Sarukichi Won.
Menehu Shanghai Jihen	Manchuria-Shanghai Incident.
Kennemesai Ongi	Ceremony.
Wara Kohin	Straw Article.
Akagagi Genzo	Genzo Akagagi.
Norakura Gocho	Cpl. Norakuro.
Amanoya Rihei	Rihei Amanoya.
Osaru no Kantai	Monkey Fleet.

EXHIBIT A—Continued

Transliterated title	*English translation*
Ginrei no Yushi	Brave Man on the Snow Covered Mountain.
New Ball Tabu	New Ball Flew.
Goraicho no Gloster Kodenka	Prince Gloster Visited Japan.
Kaika Iso	Strange Sight of Civilization.
Norakuro Nitohei	2nd Class Norekuro.
Daibohuu Jikkio (Keihanohiho)	Storm at Kansai District.
Tsukigata Hempoite	Hempoite Taukigate.
Haruno Uta	Spring Song.
Denkiro no Hanashi	Story of Denkiro.
Jiraika Gunki	Jiraika Group.
Chushingura	The Loyal League of 47 Soldiers.
Nippon Minyoshu	Japanese Folk Song.
Osanaki Mono no Hata	Children's Flag.
Nobiyuku Hokuman	Progressive Northern Manchuria.
Rakkasan Butai	Parachute Corps.
Kageyaku Gunkenki	The Bright Ensign.
Bokura no Kenkoseikatsu	Our Healthy Living.
Osarugo Tegara	Monkey's Feat.
Sakura Ondo	Cherry Blossom Dance.
Gakko Seikatsu	School Life.
Osaru Sankichi Totsugekitai	Monkey Sankichi's Storm Troop.
Santa no Rappa	Santa's Bugle.
Showa no Otome	Maiden of Showa.
Jihen Saiken no Hanashi	War Bond.
Mura wa Tsuchikara	Village from Soil.
Yejikita Fushimi Toba no Maki	Yajikita at Fushimi and Toba.
Odoru Kenkohi	Healthy Body.
Hassei Manga no Dekirumade	How to Produce Talkie Cartoons.
Kudan no Haha	Mothers of Dead Soldiers.
Rikugun Tsushintai	Army Signal Corps.
Keichan Gambare	Hurrah, Keichani.
Osaru Sankichi Bokusen	Monkey Sankiehi's Air Defense.
Kanta no Otorimono Chiyo	Kanta's Clever Detective Story.
Kimi o Yobu Uta	Song of You.
Otoko	Gentlemen.
Koe Naki Banzai	Silent Banzai.
Kimen Mikazuki Otoko	Milazuki Faction—Men in Devil's Masks.
Yudachi Kangoro	Yudachi Kangoro.
Fufu Sensen Ijo Ari	Husband and Wife.
Gozonji Murasaki Zukin	Samurai With Purple Hood.
Itawari Asataro	Asataro Itawari.
Shippu Kokitai	Hurricane Scarlet Cavalry.
Reimei no Ezo	Light of the Foreign Land.
Kakubei Jishi II	Lion Dance II.
Akiba no Omatsuri	Festival at Akiba.
Kagami Yama Kiyoen Boku	Struggle in Kagami Yama.
Mori no Ishimatsu	Mori no Ishimatsu.
Ninjitsu Suko Den	War Story of the Art of Invisibility.
Ushiwaka Maru	Ushiwaka Maru.
Chiyozuru Kenshi	Chiyozuru Swordman.
Yamaoka Tesshu	Tesshu Yamaoka.
Ashigaru Fufu Kagami	A Samurai and His Wife.
Takata no Baba	Duel of Takata no Baba.
Chuboku no Naosuke	Naosuke, the Loyal Servant.
Hadaka Bushido	The Poor Warrior.
Hanayome Onmitsu	Bridal Spy.
Kinkanban Jinkuro	Jinkuro of Kinjanban.
Yajikita Dochu	Trip of Yajikita.
Otome no Iru Kichi	Air Base Girl Ground Crew.
Kaigara Ippei Pt. I	Kaigara Ippei Pt. I.
Kaigara Ippei Ft. II	Kaigara Ippei Pt. II.
Kaigara Ippei Pt. III	Kaigara Ippei Pt. III.

EXHIBIT A—Continued

Transliterated title	*English translation*
Kaigara Ippei Pt. IV	Kaigara Ippei Pt. IV.
Hassiyu Kiyokaku Jin	The Gamblers of the Eight Provinces.
Higan Shiranui Banashi	The Take of Petitionary Shiranui.
Arashiyama no Kiroku	The Arashiyama Story.
Komatsu Riyuzo Pt. II	Riyuzo Komatsu Pt. II.
Komatsu Riyuzo Pt. I	Riyuzo Komatsu Pt. I.
Kachidoki Ondo	The Shout of Victory.
Kachidoki Ondo	The Shout of Victory.
Iwami Jiyutaro	Jiyutaro Iwami.
Nangoku Kaitenki	The Tale of the South Seas.
Jinetsu	The Heat of the Earth.
Rotsujo Kyoenroku	Tales of Heroic Women.
Chikai Ubaguruma	A Vow in a Carriage.
Komuso Keizu	The Lineage of the Strolling Flute Player.
Shinshu Choshu Gishi Pt. I	Royal Retainers of Shinshu and Choshu Pt. I.
Taikoeno Shisha	Messenger to the Ancient Time.
Budo Ungetsuka	Military Arts.
Jingi Hitosuji Michi	The Straight Road of Humanity and Justice.
Jingi Hitosuji Michi	The Straight Road of Humanity and Justice.
Jukei kara kits Otoko	The Man from Chungking.
Denpei Oiuchi	The Ambush of Dempei.
Hatamoto Gonin Otoko	The Five Retainers of Shogum.
Sugata Naki Sugata	The Invisible Figure.
Kenji to Sono Imoto	The Attorney and His Sister.
Amefuri Toge	By a Mountain Pass on a Rainy Day.
Nihon Matsu Shonentai Pt. I	The Boys' Group of Nihon Matsu
Nihon Matsu Shonentai Pt. II	The Boys' Group of Nihon Matsu
Noroshi	The Beacon.
Kurenai Kenshi	The Scarlet Swordsman.
Atarashii Shuppatsu	A New Start.
Ukinabayashi	Tales of Romance.
Yottsu no Kekkon	Four Marriages.
Meijin Choji Bori Pt. I	Master Engraver Choji.
Meijin Choji Bori Pt. II	Master Engraver Choji.
Meijin Choji Bori Pt. III	Master Engraver Choji.
Ai no Sekai	Love's Own World.
Ai no Sekai	Love's Own World.
Ai no Sekai	Love's Own World.
Gozonji Murasaki Zukin	The Famous Purple Hood.
Tanoshiki kana Jinsei	Oh! Wonderful Life.
Tanoshiki kana Jinsei	Oh! Wonderful Life.
Tanoshiki kana Jinsei	Oh! Wonderful Life.
Ryusenkei Shuriyo	Streamlined Hunting.
Rakka no Mai	Dance of the Falling Blossoms.
Rakka no Mai	Dance of the Falling Blossoms.
Arashi ni Saku Hana	Flower in the Storm.
Sanjaku Sagohei	Three-footer "Sagohei".
Enoken no Ganbari Senjutsu	Enoken in "Stick to the Last".
Musashibo Benkei	Musashibo Benkei.
Heiroku Yumemonogatari	Dreamlike Tales of Heiroku.
Beni Komori Pt. I	Scarlet Bat.
Kanzaki Azuma Kudari	Kanzaki's Passage to the East.
Muhomatsu no Issho	The Life of Muhomatsu.
Haha no Kao	Mother's Profile.
Kimi Yobu Uta	A Song for You.
Oyako Sakura	Parent-Child Cherry Blossoms.
Indo no Tera	Temple in India.
Tokio-Kun no Tsuzurikata	Tokio's Composition.
Taiso wa Naze Hitsuyo ka	Why Gymnastics is Necessary.
Satsums no Uta	The Song of Satsums.
Warera no Wakamono	Japanese Youths.
Wagaya no Kaze	The Wind at Home.
Coju no To	The Five Storied Pagoda.

EXHIBIT A—Continued

Transliterated title	*English translation*
Missho Denki	The Biography of Missho.
Nihon no Haha	Mothers of Japan.
Hebihime-sama	The Princess Serpent.
Natsu no Shimpi	The Mystery of the Pine Trees.
Minami no Kaze (II)	South Wind (II).
Shingan Homare no Meito	Prayer for a Fine Sword.
Joshin Seishin Roku	The Sincerity of a Woman's Heart.
Kogen no Tauki	The Moon Light.
Dokuganryu Masamune	One-eyed Masamune.
Otoko no Iki	Men's Courage.
Hibari wa Soro ni	Skylarks in the Air.
Tenchu Kokubutai	Tenchu Black Horse Unit.
Yakushin Okinoyama Tanko	Progressive Okinoyama Mine.
Meiro no Akatsuki	Bright Dawn.
Shura Hakko	Asuma Storm.
Shiro o Mamoru Shonen	Youths Guarding a Castle.
Seryu Futari Kaido	The Paths of Two Determined Men.
Kiku Tsukwru Ie	The House that Makes Chrysanthemum.
Meguru Tanabeta	Tanabata Once Again.
Kaikyo no Fuunji	Adventurer of the Straits.
Rinomaru Koshinkyoku	March Music of the Rising Sun.
Aru Onna	A Certain Woman.
Wgaya no Kaze	Atmosphere of Our House.
Igagoe Togunryu	School of Swordsmen in Igagoe.
Hosokawa no Chidaruma	Bloody Affair of the Hosokawas.
Sugino Heisocho no Tsuma	Wife of Warrant Officer Sugino.
Goto Matabei	Matabei, Goto.
Mikazuki Jingi	Gallant man Mikazuki.
Warera no Wakamoro	Our Young Men.
Kaidempa no Sentritsu	Thrill of the Mysterious Current Wave.
Nippon no Higeki	Tragedy of Japan.
Mura no Koe	The Voice of the Village.
Sakura Fubuki	Cherry Blossom Storm.
Shinkyo	New Homeland.
Ishimatsu Mori	Ishimatsu Mori.
Aijo no Kenri	The Right to Love.
Haha mareba koso	Mother's Denotation.
Meiryu Jikyoku /Engei	All Star Performance.
Hahe yo Tadashiki Aio	Healthy Children for the Father Country.
Shi no Chutai	Dead Company.
Kite no Sannin	Three Men from the North.
Fuun Echigo Jiyo	Echigo Castle in an Upheavel.
Tokai no Honryu	Current of the City.
Meito Bijo Maru	Famous Sword Bijo Maru.
Asagiri Gunka	Military Morning Mist Song.
Dai ni no Niji	Double Rainbow.
Man Sei Josei	Women Marching South.
Shunpu Senri	Spring Wind.
Harukanaru Ototo	Far Away Younger Brother.
Yomiuri Hiyoban Otoko	A Man Peddling in the Street.
Sakuragawa Shusse Nobori	Banner for Rising Sakuragewa.
Yagiyu Matajuro	Yagiyu Matajuro.
Yarikuyo	The Revenge with the Spear.
Harusugata Hasude no Matoi	Matoi of Rasude on New Year's Day.
Tenchu Fukaamigasa	Divine Judgement and Human Criticism.
Oni Azami	The Thistle.
Geino Sensen	The Competitive Entertainers.
Ashigaru Kichiemon	Kichiemon, the Footman.
Shitamachi Sannin Musume	Three Girls of Down Town.
Oya	Parents.
Hashimoto Sanai	Sanai Hashimoto.
Yubae no Koa	Hills in the Twilight.
Takatanobaba	Takatanobaba.

EXHIBIT A—Continued

Transliterated title	*English translation*
Ikio Chidori no Yariba	Chideri's Buck Tooth.
Monotaro no Umiwashi	Momotaro's Naval Airplane.
Benitokage	Scarlet Lizard.
Shingan Homare no Meito	Honorable Sword of Shingan.
Chuji to Cantetsu	Chuji and Gantetsu.
Minami kara Kaetta Hito	The Man Returned from the South.
Shinkon Bakugeki Tai	The Newly Born Bombing Corp.
Rokyoku Engei	Entertainment of Rokyoku.
Kinno Yamato Zakura	The Golden Cherry Blossoms of Japan.
Tsutanai Wakashu	The Youth With the Ringing Sword Guard.
Haha Shinazu	Immortal Mother.
Torazo no Kojin Yama	Torazo's Kojin Yama.
Tanoshiki Aijo	Enjoyable Love.
Gozonji Murasaki Zukin	The Famous Purple Hood.
Asataro Akagi no Uta	Asataro's Song of Akagi.
Kokoro no Taiyo	The Heart's Sunshine.
Hitohada Kannon	The Living Kannon.
Izayoi Toge	The Izayoi Mountain Pass.
Yakko Kagamiyama	Kagamiyama, the Footman.
Kenko o Mamore	Protect Your Health.
Anata no Gikai	Our Diet.
Nippon no Higeki	Tragedy of Japan.
Shanghai Rikusentai	Marine Corps Stationed in Shanghai.
Kamotsu-sen	The Freighter.
Mabo no Dairikusen Eutai	Mabe in the Continental Pacification Corps.
Oinaru Koshin	A Great March.
Hi-no Kuruma Oman	The Fury Car, Oman.
Bajo no Yusha	Here on the Horseback.
Judei kara Kaette kita Otoko	The Man who Returned from Chungking.
Goto Hakushaku Sogi	Funeral Services for Count Goto.
Umi no Tora	Sea Tiger.
Rindei Fusai Kitaru	Mr. and Mrs. Linday Came.
Gasusei Chushingura	The Loyal League of 47 Students.
Onmitsu Sangokushi	Spy for the 3 Provinces.
Hoppe no Kane ga Naru	The Bells Ring in the North.
Ketto Hannyezaka	A Dual of Hannyazaka.
Ozora no Isho	Testament from the Sky.
Onna Gokoro	Woman's Heart.
Adauchi Goyomi	A Tale of Revenge.
Yagyu Getsueisho	The Adventures of Yagyu.
Aizo-hijinroku	A Record of Our Heroic Dead.
Kume no Heinai	Heinai of Kume.
Hikokuro Takayama	Hikokuro Takayama.
Shura Hakko II	Asuma Storm (II).
Nihon Kengo Jin	Group of Japanese Swords-man.
Kodachi o Tsukau Onna	Woman With Sword.
Takatano Baba Zengo	Takatano Baba, First and Final.
Minami no Kaze (I)	South Wind (I).
Sugata Sanshiro	Sanshiro Sugata.
Shibaido	Morals of the Theatrical World.
Onmitsu Sangokushi (II)	Stories of Spies (II).
Nichiro Sense	Russo-Japanese War.
Tatakau Kokumin (I)	Fighting Nation.
Tatakau Kokumin (II)	Fighting Nation.
Umi ni Hirugaeru Nisshoki	The Hinomaru Floating Over the Seas.
Umi no Tami Okinawa to	The People of the Sea—Okinawa.
Umi no Tsuwamono	Life Aboard a Battle Ship.
Mikuni no Sakae	The Prosperity of the Empire.
Takamatsu no Miya Hokkaide	Prince Takamatsu Attended the 50th.
50 Nen Kinen Shikiten Rinjo	Anniversary of Hokkaido.
Tetsu wa Tatakau	Steel Goes to War.
Togu Dohi Denka Sanryo Gosampai	Crown Prince and Princess Paid Respects to Imperial Mausoleum.

EXHIBIT A—Continued

Transliterated title	*English translation*
Kensetsu no Chikara	Power of Construction.
Tokkan Garakuta Rossha	Rushing Worn-out Trains.
Denki to Kokubo	Electricity and National Defense.
Sensho no Haru	Victorious Spring.
Kachi Doki	Shout of Victory.
Daichi o Ikasu	Exploiting the Earth.
Sugata Sanshiro	Sugata Sanshiro..
Senryo Komachi	Beauty Worth Her Weight in Gold.
Togu Dohi Ryodenka	Their Imperial Highness.
Waga Nanyo	Our South Sea Area.
Shoka Sonjuku	Shoka's Private School.
Shori no Hi-made	Until the Day of Victory.
Wakaki Hi no Yorokohi	The Delight in the Days of Youth.
Nanpu Satsuma-uta	The Songs of Southern Satsuma.
Keisatsu-kan	Policemen.
Shori no Rekishi	The History of Victory.
Hachiju-nsn-ma no Taiyo	The Sun that Rose after 88 years.
Senkoku Tsurugajo	Castle Tsuruga of Sengoku Period.
Kisoji Hasshuku	Eeight Stations on Kiso Road.
Odoru Kenko	The Health in Dancing.
Taiyo no Aiji	A Beloved Child of the Sun.
Teppeki no Ishokuju	No Anxiety on the Food, Clothing and Living.
Dokusho Mura	Book Loving Village.
Shura Hakko	Chaos.
Mairyu Jikyoku Engai	Famous Entertainers of the Time.
Warera no Kyodo-ai	Our Affection for the Soil.
Nihon Matsu no Shonen-tai	Nihonmatsu Boys' Scouts.
Kyoroku no Megumi	What Cooperation Brings.
Mabo no Shonen-kokuhei	Mabo's Pre-flight Students.
Senryo Komachi	Beauty Worth Her Weight in Gold.
Kunyan no Gaika	Chinese Girls' Triumphal Song.
Meiryu Jikyoku Engei	Famous Entertainers of the Time.
Matsudaira Choshichiro	Matsudaira Choshichiro.
Ishin Zenya	On the Eve of the Restoration.
Shonen Chushingura	The Loyal League of 47 Boys.
Ai no Hojutsu	Nurse on the Battlefield.
Sangyo Sumodo Shorei-taikai	Industrial Wrestling Promotion Match.
Atarashiki Kyodo	New Land.
Musshino no Kitau	Training at Mussshino.
Adauchi no Hi	Date of Revenge.
Tsuchiya Chikara	Tsuchiya Chikara.
Nezumi Kozo Hatsu Waraji	Nezumi Kozo's First Trip.
Izayoi Toge	Izoyai Pass.
Juni-gatsu Yoka	8th December.
Seiki no Oassho	Chorus of the Century.
Warai no Men	A Laughing Mask.
Mikazuki Jingi	Humanity and Justice.
Oma no Tsuji	Crossing of the Road.
Kodakara Fufu	Couple with Many Children.
Oda Santari	Our Glorious Country.
Akatsuki no Shimpatsu	Departure of Dawn.
Kaiketsu	Settlement.
Kenko o Mamore	Protect your Health.
Umi no Seimei-sen	Life Line of the Sea.
Gojinka Harusama-kasa	In the Spring Rain.
Minato o Mamoru Hito	Keeper of a Port.
Hara Kara	Brethren.
Junjo ni Iku	Clear Living.
Teppeki no Ishokuju	No Anxiety on the Food, Clothing and Living.
Kekkon Shingun Fu	Blessed Marriage.
Seisho Nogiden	Life of General Nogi.
Tokio-kun no Tsuzurikata	Tokio's Compositions.

EXHIBIT A—Continued

Transliterated title	*English translation*
Tanoshiki Aijo	Happy Affection.
Haru no Sonaete	For the Spring.
Rekishi no Shimei	Historical Mission.
Rakks-san Butai	Parachute Unit.
Nosei Sontoku	Agricultural Authority, Sontoku.
Kurenai Tenshi	Wounded Nurse.
Amefuri Toge	Raining Ridge.
Hansyome Senshu	The Bride Champion.
Doto Bosatsu	Sea Buddha.
Shimizn Niju-hachininshu	28 Followers of Shimizu Jirocho.
Chichi Naki Ato	After Father's Death.
Genroku Dandera Zone	Cross Stripes in Genroku Period.
Nezumi Kozo Hatsu Waraji	Nezumi Kozo's First Trip.
Kojo no Sakura	The Cherry Trees in the Ruined Castle.
Nippon no Higeki	Japan's Tragedy.
Kondo Isamu	Isamu Kondo.
Sakura no Kuni	The Land of Cherry Blossoms.
Hachiju Oku	Eight Billion.
Jidai Mstsuri	Festival of the Times.
Nosei Sontoku	The Agricultural Authority, Sontoku.
Chuboku Naosuke	Honest Servant, Nsosuke.
Yoi Kodomo	Good Children.
Tabo no Tekketsu Rikusentsi	Tabo in the Land Combat Force.
Kouma	Pony.
Akachan Issei Kensa	Medical Examination of Babies.
Kansho no Hakozukuri	Cultivation of Sweet Potatoes in Boxes.
Kimen Mikazukiotoko	Mikazuki Faction—Men in Devil's Masks.
Tenkan Kozo	Tenkan Kozo.
Magokoro no Uta	Song of Love.
Tonpei to Sarukichi	Tonpei and Sarukichi.
Yamato	Japan.
Hakumo-sen	The Battle, Hakumo.
Seizenso no Aki	Fall of Seizen Villa.
Machi no Taiyo	Glory of the Town.
Eiyo Kokusaku	The National Policy-Nutrition.
Jikyoku Iroha Dokuhon	New War "Alphabet" Cards.
Byoin-sen	Hospital Ship.
Shoidan	Incendiary Bomb.
Sotei	Conscripts.
Hatamoto Gonin Otoko	Five Trusted Retainers of Shogun.
Abe Ichi Zoku	The Abe Family.
Jingi Hitosujimichi	Stick to Humanity and Justice.
Uzumaki Ukigumojo	A Castle Over the Cloud.
Kenkyo Mandara	Mandara Kenkyo.
Manju Hime	Princess Manju.
Kudan no Haha	A Mother Who Lost Her Son in Battle.
Tatakai no Kyoku	Song of War.
Toyuki	A Visit East.
Ki-giku Shira-giku	Yellow and White Chrysanthemums.
Tengyo Hoei	Assistance of Divine Work.
Wakaki Sugeta	Young Figure.
Akatsuki no Kadode	Departure of Dawn.
Seikatsu no Yusha	A Living Hero.
Edo Sangoku-shi	Edo History.
Sokoku wo Mamoru Mono	Defend Our Country.
Shinpi no Otoko	Mysterious Men.
Ikeru Isu	A Living Chair.
Jaken Mado	
Kawanakajima no Kassen	The Battle of Kawanakajima.
Yoshino-cho no Iseki	Relics of the Yoshiho Era.
Daizu no Sansen	Soybeans' Participation in a War.
Koto Shosen Gakko	High Mercantile Marine School.
Zen-koku Joba Taikai	National Horse Show.

EXHIBIT A—Continued

Transliterated title	*English translation*
Sokai	Evacuation.
Nishizumi Sensha-cho Den	The Life of Tank Commander, Nishizumi.
Wata no Hana	Cotton Flower.
Shukin Nikki	Written Diary.
Kisoji Hasshuku	Eight Stations on Kiso Road.
Shuki Dai-undokai	Autumn Field Meet.
Fukko Teito	Reconstructed Capital.
Jugo	Home Front.
Shogun-basha	General's Carriage.
Seiji no Rinrika	Moralizing of the Policy.
Hanako-san	Hanako-san.
Kyushu Tansho	Visit Kyushu.
Noson no Gassho	Chorus of Farm Village.
Taiso wa Naze Hitsuyo-ka	Why Physical Training Is Necessary.
Botan Kuzure	Faded Peony.
Amanoya Rihei	Amanoya Ribei.
Musume Mago-uta	A Girl Horse-driver.
Fuji Isshu Kijodan	Flying over Mt. Fuji.
Bancho Sara Yashiki	The Ghost in Sara Residence at Bancho.
Hanagata Senshu	Star Athlete.
Jirai-ya	Jirai-ya.
Kato Hayabusa Sento-tai	Kato Hayabusa Fighter Corps.
Ongaku Dai Shingun	March of Music.
Jirai-ya (I)	Jirai-ya (I).
Kusakabe Enseki	Enseki Kusakabe.
Fuji ni Tatsu Kage	Shadow over Mt. Fuji.
Tonari-gumi no Gassho	Chorus of Neighborhood Groups.
Chichi naki Ato	After Father's Death.
Mamoru Kage	The Unseen Protector.
Yuten Kichimatsu	Kichimatsu Yuten.
Jirocho Hadaka Dochu	Jiricho Goes on a Penniless Journey.
Michi wa Koko ni	Here Is the Way!
Hanamuko Hyakumangoku	The Bridegroom Became the Big Lord.
Namide	Tears.
Tone no Yuyake	Dusk on the River Tone.
Jiraiya	Jiraiya.
Mitsukuni to Raikunitsugu	Mitsukuni and Kunitsugu Rai.
Rambu Jigoku	The Inferno.
Jokyu Haikingu	Waitresses Going on Hiking.
Budo Suikodan	The Tales of Chivalry.
Shinsai-go no Tokyo	Tokyo After the Kanto Earthquake.
Aizen Kaido	The Way of Way.
Datectoko Torimonocho	The Detective Story of the Popular Man.
Uma no Toriatsukai-kata	How to Treat Horses.
Meiji Gonin Onna	The Five Famous Women in Meiji Era.
Shima no Funauta	Island Boat Song.
Nazo no Tenchuto	The Mysterious Tenchu-group.
Jigoku	Hell.
Tojin Okichi	Okichi, the Mistress.
Hanayame Onmitsu	Bridal Spy.
Kuninameri Dochugasa	The Travelling Story of a Gambler.
Yajikita	Yajikita.
Kagamiyama Kyoenroku	The story of Beauties at Kagamiyama.
Maningen	A True Man.
Adauchi Hiza-kurige	A Travelling Story of Revenge.
Kutsukake Tokijiro	Tokijiro Kutsukake.
Nishizumi Sensha-cho Den	The Tale of Captain Nishizumi's Tank Corps.
Shinsetsu	First Snow.
Edo no Asagiri	Morning Mist in Edo.
Ahen Senso	Opium War.
Rokyoku Chushingura	Chushingura with Naniwabushi.
Tokkan Ekicho	Dashing Station Master.

EXHIBIT A—Continued

Transliterated title	*English translation*
Atatakaki Kaze Pt. I	Warm Wind Pt. I.
Atatakaki Kaze Pt. II	Warm Wind Pt. II.
Haha Kogusa	Story of a Mother and Her Daughter.
Shimisu Minato	Shimizu Harbor.
Satsuma no Misshi	An Emissary from Satsuma.
Torahiko Tatsuhiko	Torahiko and Tatsuhiko.
Botchan Dohyo-iri	Botchan Became a Wrestler.
Niji no Michi	Rainbow Road.
Susume Dokuritsu-ki	Forward Flag of Independence.
Ichiban Utsukushiki	Be the Most Beautiful.
Iye ni Sannan Nijo Ari	They Have Three Sons and Two Daughters.
Nitoryu Kaigan	Mastering the Art of Nitoryu.
Yaotome no Uta	Song of a 8 Maidens.
Haha Gokoro	Mother's Love.
Jingu Shiki Nensengu	Ceremony of Shrine.
Nyonin Toge	Nyonin Pass.
Eiko ni Kagayaku Ri en Kogyo	Glorious Riken Manufacturing Company.
Chushingura (I)	The Loyal League of 47 Samurai. Pt. I.
Chushingura (II)	The Loyal League of 47 Samurai. Pt. II.
Jugo wa Katashi	Home Front is Complete.
Itsukushiki-to	Helping Hand.
Koa Hoko-bi	Service Day for Asia.
Oyama no Boku-jin	Shepherd of the Mountain.
Osaru Sankichi Tatakau Sensuikan	Monkey Sankichi's Submarine.
Shanghai no Tsuki	Moonlight in Shanghai.
Tabo no Muteki Sensha	Tabo's Invinsible Tank Unit.
Burajiru ni Kizuku	A Fountain Laid in Brazil.
Tonari Gumi	Neighbourhood Group.
X Kosen	X Ray.
Sonaeyo Shisosen	Defense Against War.
Magokoro	Devotion.
Malay Senki	Record of the Malay Battle.
Ungetau no Imoto ho Uta	Song of Ungetsu's Sister.
Kokusai Mitsuyudan	International Smugglers.
Jitsugyo Kyoiku Gojusshunen Kinen	Fiftieth Anniversary of Industry.
Ahiru no Rikusentai	Duck Marines.
Junkatsuyu	Lubricating Oil.
Bodokumen	Gas Mask.
Seisen	Holy War.
Dokugakuryu Masamine	One-eyed Masamune.
Kessen no Ozora	The Decisive Air Battle.
Ine no Kantaro	Kantaro Ina.
Osaka Ghonin	Townfolks of Osaka.
Isokawa Heisuke Komyo Banashi	Tales of the Great Feat of Heisuke Isokawa.
Kenpu Renpei-kan	Kempu Training Hall.
Ikite Iru Magokoro	Sincerity Still Exists.
Gekiryu	Violent Stream.
Kyoraku no Mai	Dancing of Kyoto.
Santaro Ganbaru	Santaro Holds Out.
Kogan Koteki-tai	Youth Drum and Bugle Corps.
Tempei Doji	Tenpeidoji.
Fu-un	Misfortune.
Isokawa Hyosuke Komyo Banashi	The Tales of Isokawa Hyosuke and His Glorious Deeds.
Dai-go-retau no Kyofu	Fifth Column Menace.
Kessen	Decisive Battle.
Washi no O Toge	Great Eagle's Pass.
Denpa ni Kiku	Listening to the Electric Wave.
Muteki	Invincible.
Ginga no Bijo	Beauty on the Milky Way.
Kara Toro	A Chinese Garden Lantern.
Dai-chi ni Inoru	Prayer for the Grounds.
Seishun no Kiryu	Stream of Youth.

EXHIBIT A—Continued

Transliterated title	*English translation*
Utsukushiki Rinjin	Kindly Neighbor.
Showa no Kinsan	Kinsan of Showa.
Sora no Shimpei	Parachute Troopers.
Waga Ai no Ki	Story of My Love.
Bankei Tai Ushiwaka	Benkei and Ushiwaka.
Matsudaira Geki	Tales of Matsudaira.
Seifuku no Chikara	The Power of Subjugation.
Fufu Daiko	A Certain Husband and Wife.
Yama no Oki Katsuyaku	Fighting in the Mountain.
Tsuchi ni Ikeru	Live on the Soil.
Jichi Tosei	Self Government.
Goshinka Kyushu Keiso	Torch Relay in Kyushu.
Akeyuku Mura	Village at Dawn.
Seimitsu Komonogata Tanso	The Throughness of Komonogata Tanzo.
Iki Agaru Gakuto	Advancement of Students.
Ushiwakamaru	Ushiwagamaru.
Mabo no Hizoku Taiji	Mabo's Campaign Against Bandit.
Hawaii Malay Oki Kaisen	The Sea Battle of Hawaii and Off Malay.
Shido Monogatari	Tales of Ghidance.
Umi no Haha	Mother of a Seaman.
Haha no Chizu	Mother's Map.
Malay Senki	Record of the Malay Battle.
Torii Tsuneemon	Torii Tsuneemon.
Tatakei no Machi	Town of Struggle.
Nankai no Hanataba	Flowers of the South Sea.
Yasen Gungakutai	Field Military Band.
Kokusai Mitsuyadan	International Smugglers.
Mitokomon Kaikokuki	Story of Mitokomon's Trip.
Kamen no Buto	Masquerade.
Kaette Kita Otoko	He Came Back.
Hanayakana Genso	Gay Fantasy.
Kakute Kamikaze wa Fuku	Thus, the Divine Tempest Came On.
Furusato no Kaze	Breeze of my Native Town.
Mompei-san	A Woman with Mompei.
Kekkon Meirei	Marriage Order.
Iga no Seigetsu	Moonlight Over Iga.
Waga Ki Minami e Toba	Our Planes Fly South.
Kato Hayabusa Sentotai	Kato Hayabusa Fighter Corps.
Jingisu-kan	Genghis Khan.
Kanko no Machi	Town Full of Cheers.
Saigo no Kikyo	Last Return to Home.
Kappa Daisho	The Merman.
Josei Koro	A Woman's Way of Life.
Omura Masujiro	Omura Masujiro.
Kaidan Oshidori-cho	The Mysterious Story of Mandarin Duck.
Chikai no Gassho	Chorus of Pledge.
Aikoku no Hana	The Flower of the Country.
Ai to Chikai	Love and Pledge.
Wakadanna Taiheiki	Young Boss.
Kojo Natsuko	Kojo Natsuko.
Ninjutsu Dochu	Travel in Magic.
Kenun Sokitai	Hurricane Lancers.
Shimpen Inazuma Otoko	The Mysterious Man.
Koi no Marubashi	The Love Story of Marubashi.
Nazo no Tenchuto	The Mysterious Tenchu Group.
Nangoku Taiheiki	The Tale of the Peaceful Southern Country.
Nankin Gai	The Nanking Street.
Yakyu Dagekihen	Batting.
Hijoji no Momotaro	Momotaro in Emergency.
Kaizoku Sen	Pirate-ship.
Narihira Kozo	Burglar, Narihira.
Toyama no Kinsan	Kinnosuka, Toyama.

EXHIBIT A—Continued

Transliterated title	*English translation*
Crazy Cabaret	Crazy Cabaret.
Tsumagoi Shinshujo	The Beloved Castle Shinshu.
Rengoku	The Purgatory.
Nampu Satsuma Uta	Song of Southern Satsuma.
Ninjutsu Senichiya	A Story of Magic.
Doto Bosatsu	Budda in Raging Billows.
Sayon no Kana	The Bell of Sayon.
Mitokomon Ksikokuki	Travelling Story of Komon Mito.
Soro o Mezashito	Aiming at the Sky.
Kaiyo-ji	Sailors.
Yosu-ko	Yangtze River.
Nihon News Tokushu Ban	The Nippon News Special Series.
Sora no Shnenhei	Pre-flight Students.
Shori no Kiso	Foundation for the Victory.
Kaigun to Kaiyo	Navy and Ocean.
Sora no Shonenhei	Pre-flight Students.
Kaigun	Navy.
Eikoku Kantai Enshu	Maneuver of British Fleets.
News Eiga Doitsu Hen	News Reel Series—German.
Muika-kan no Kyuka	Six Days' Leave.
Banzuma no Kage-boshi	Shadow of Banzuma.
Tabibito no Kokuhaku	Confession of the Traveller.
Komin Takassgo Zoku	The Takssago Tribe.
Shusseizen Juniji-kan	12 Hours Before Departure for the War Front.
Koa no Haru	Spring of Prosperous Asia.
Tatskau Budo	Fighting Chivalry.
Byoin Sen	Hospital Ship.
Kogun wa Tsuyoshi	The Imperial Army is Strong.
Kaikisen ni Hataraku Hitobito	The Crew on Board the Mysterious Ship.
Minami Taiheiyo Zensen	South Pacific Fleet.
Minato o Mamoru Hitobito	Guardians of the Harbor.
Malay Senki	Record of Malay Battle.
Chochiku Saikan Tokuhon	Saving-bond Book.
Chogakuryo	Chogakuryo.
Coryugaku no to ni Tsukaseraruru Chichibunomiya.	Prince Chicibu's Departure to Study Abroad.
Gumba o Manoru	Protecting the Military Horse.
Gunkan Seikatsu no Asa	Life on a Battleship.
Gunshin ni Tsuzuke	Follow the War Heroes.
Mugon no Senshi	Soldiers in Silence.
Mokuzo sen	Wooden Ship.
Moyuru Ozora	Action in the Skies.
Kaigun Kushu-tai	Naval Air Raid Unit.
Kizuku Tsiryoku	Improvement of Health.
Kimi wa Sojusha ni Nareruka?	Can You Become a Pilot?
Kenmin Shuren	Health Training.
Kaiyo Kyoshitsu	Seaside School Room.
Minami Taiheiyo	The South Pacific.
Kucho Koho	Aerial Navigation Methods.
Miezaru Serayoku	Invisible Power of Battle.
Kokumin Shingun-ka	Marching Song for the Home Front.
Ichioku Soshingun	Everyone Advance.
Ikita Imon-bukuro	Comfort Kits.
Imo to Haitai	The Sweet Potato and the Soldier.
Ichioku Zenshin	Advance by All Japanese Subjects.
Anata wa Nerawarete Iru	You Have Been Found Out.
Okinawa	Okinawa.
Onna de Mamoru Mura	Village Cared by Women.
Okimi no Miyuki Mukaete	Welcoming His Imperial Majesty's Visit.
Oi Naru Koshin	The Great March.
Dai Nanko	The Greater Kusunoki.
Dai Nippon Taiso	The Great Nippon Gymnastics.

EXHIBIT A—Continued

Transliterated title	*English translation*
Denki Heiki	Signal Weapons.
Gakuen Kara Ozorae	To the Sky from Colleges.
Gotairei no Ongi	Grand Company of Emperors.
Gotairei Tetsudo Segyo	Emperor's Journey to Kyoto.
Shikamo Tatskai wa Tsuzuku	But, the War Still Continues . . .
Seiryo Kashikoshi	His Majesty's August Thought.
Doku Gasu	Poison Gas.
Seinen Yaeitai	Boy Scouts.
Suna Kemuri Takata no Baba	Clouds of Dusts at Takata no Baba.
Kodakara Koshinkyoku	The Large Family March.
Uma no Sekai	The Horses' World.
Suna Kemuri Taksta no Baba	Clouds of Dusts at Takato no Baba.
Yuki ni Kitaeru	Training in the Snow.
Arugoi Chibo no Bokujo no Keidi	The Management of Pastures at Argoi.
Ehon	The Picture Book.
Kuzu wa Genryo	Waste in Raw Material.
Sakura Ondo	Cherry Chorus Song.
Gotaiten Matsue no Hoshuku	Coronation Ceremony at Matsue.
Izu no Musima-tachi	Girls of Izu.
Himatsu o Abite	Amidst Splashes.
Susume Kogun	Advance, the Imperial Army!
Choonki to Shokuto	Aeroplane and Searchlight.
Mabo no Tairiku Tanken	Mabo's Expedition of Continent.
Ozumo	Great Sumo.
Tsepperin Kitaru	Zeppelin Came.
Ichioku de Seco Homare no Ia to Hito	The Nation Should Take Care of the House of Honor and Its People.
Venis	Venis.
Saiki no Shokuba	Rehabilitation Program.
Sora wa Semeisen	The Sky Is Our Vital Front Line.
Sensha	Tanks.
Zosen Teishin-tai	Volunteer Corps of Shipyard.
Jugo no Hitobito	People at Home Country.
Jitsugyo Kyoiku 50 Shupen Kinen	The Ceremony of 50th Anniversary of Business Education.
Jugo wa Katashi	The Determination of Home Front.
Jugo no Chokisen	The Battle of Those Behind the Guns.
Chichi Naki Ato	After Father Left.
Juken Jutsu	Bayonet Exercise.
Kokoro no Buso	Mental Preparedness.
Togu-denka Okayam Gyokei	Prince Togu's Tour of Okayama.
Togo Gensui no Kokuso	Admiral Togo's National Funeral.
Tsiheiyo Koshinkyoku	Marching Song of the Pacific Ocean.
Togo Gensui o Shinobu	Memorial Service of Togo.
Taisho-Tenno Gotaiso Owgi	Funeral Service of Emperor Taisho.
Tachigata Shonen	Youths Firmly Standing to Their Feet.
Ouma wa Nanju-nana-man Goku	The Horse Costs Million Dollars.
Kogun Pekin ni Iru	Entry of Imperial Army into Peiping.
Kono Issen	This Battle!
Koku Taiiku	Air Training.
Koko Demo Tatakatte Iru	Also Fighting Here.
Ahen Senso	Opium War.
Tetsudo 50 Nen Shukuten Jikkyo	Actual Scene of the 50th Anniversary of Railway.
Ikiteita	Found Still Living.
Shinsei no Bisho	The New Smile.
Ah, Muto Gensui	Ah, General Muto!
Asahi Sekai News (Series)	Asahi World News.
Ai no Hojutsu	Nurse on the Battle Field.
Fuji Isshu Kijodan	Flying Over Mt. Fuji.
Akatsuki no Uta	Song of the Dawn.
Yasukuni-jinja no Uta	The Song of Yasukuni Shrine.
Yabureta Shogun Tachi	Defeated Higher Officers.

EXHIBIT A—Continued

Transliterated title	*English translation*
Yukiguni to Uma	The Snow Country and Horses.
Yoi Kodomo	Good Children.
Yomiuri Shimbun News (Series)	Yomiuri Press News.
Yasukuni Jinja	Yasukuni Shrine.
Yakushin Sunskawa	Progress of the Sunskawa Company.
Minami no Kichi	Airbase in the South.
Mamore Nippon Kei	Defend the Japan Sea.
Rikugun Tokubetsu Daienshu	Army Special Grand Maneuvers.
Seisan to Yubin	Production and Postal Function.
Showa 12-nen Uma no Sekai	Horse News of 1937.
Showa 16-nen Uma no Moyoshi	Horse Show of 1941.
Setchu Tanren	Youth Training in the Snow.
Shonan Totsugski Hei	Youth Storm Troop.
Teki wa Ikuman Aritotemo	However Great the Number of the Enemy.
Hoko Biden Chichi o Tasuketa	Helping Father.
Hokuyo Nikki	Diary of the Northern Sea.
Buki Naki Tdki	Weaponless Enemy.
Bochosen o Yuku	Preventive Measure for Spy.
Taiheiyo Koshinkoyu	Pacific March.
Sora Mamoru Shonenhei	Youthful Soldiers Defenders of the Air.
Shonen-tachi	Juvenile.
Seiki ho Shingun	March of the Century.
Seinan Gekko	Youths School.
Shori no Seisan	Production for Victory.
Shori no Himade	Until Victory.
Bakufu to Dampen	Concussion and Fragment.
Bakudan Nishoko	Two Bombing Officers.
Bonan Dai	The Bonan Project.
Kimikoso Tsugi no Arawashi Da	You are a Future Eagle Aviator.
Hae Aru Seishonen Gakuto	The Gallant Youth and Students.
Honsho Shogun Gaisen	The Return of Gen Honsho in Triumph.
Hara no Kokuto Iri Fugishi	Prince Fugo of Manchuria Visits Shinkyo.
Higashikuni no Miyatei Obaba Hiraki	Riding Grounds Open at Prince Higashikuni's Residence.
Hikoki no Hanashi	Story of the Airplane.
Waga Hondo o Nereu Mono	Those Who are Wishing to Attack on our Homeland.
Waga Nanyo	Our South Seas.
Watakushitachi Hataraite Iru	We are Working.
Wagakuni no Seitetsu Kogyo	Iron Manufacturing Industry of our Country.
Umi Washi	Naval Flight Officers.
Umi no Byakui	Nurse on the Hospital Ship.
Uma no Junchi	Horse Training.
Dai-ni no Tatakai	The Second Battle Front.
Dotstsu ni Doinrei	Mobilization Orders to Copper & Iron.
Dai Juikkai Meiji Jingu Toki Taiiku Taikai.	11th Great Athlete Meeting at Meiji Shrine in Winter Time.
Domei News (Series)	Domei News.
Warera no Kantai	Our Fleet.
Mokutan	Charcoal.
Sora no Dai-nijin	The Second Battle in the Sky.
Sora no Imontai	Relief Unit of the Sky.
Shoidan Kogeki	Incendiary Attack.
Showa 19-nen	1944.
Tairyoku wa Kuni no Chikara	Physical Strength is a National Strength.
Tennoheika Fukko Teito Gojunko	Emperor's Inspection Tour of Reconstructed Tokyo.
Tekki Kitaraba	If We Had Enemy Air Attack.
Taisho Tenno Gotaisogi	Funeral Service of Emperor Taisho.
Tatakau Shokokumin	Fighting Children.
Rikugun Kempei Gakko	Army Military Police School.
Kannagera no Michi	Shintoism.
Kyukyu-ho	First Aid Measures.
Shori no Chikara	Power of Victory.
Sekei no Kangeki	World's Admiration.

EXHIBIT A—Continued

Transliterated title	*English translation*
Sekei Ichi no Tonarigumicho	The Best Chief of the Neighborhood Society.
Inochi no Minato	Life's Port.
Hinomaru Tsuzurikata	Compositions of Japanese Children.
Hinomaru Chaya	Hinomeru Teahouse.
Haha Nareba Koso	Only Mother Could Do That.
Ikari no Umi	Wrathful Sea.
Kyukyu-ho	First Aid Measures.
Kokumin Teiryoku Kantei	Inspection of National Physical Strength.
Kenmin Shuren	Training for Youth.
Keirei Bumretsu Shiki	The March-Past.
Kagayaku Showa Seidai Gotsirei no Gi	Glorious State Ceremony of Showa.
Taiso wa Naze Hitsuyo ka?	Why is Exercise Necessary?
Tetsu no Senshi	Iron Warriors.
Tenno Heika Kiryu Kotogakko Gyoko	Emperor's Visit to Kiryu Technical School.
Toka Kansei	Blackout.
Toa Kiba Byoko-tai	Goodwill Unit on Horseback.
Fuchinken Gekichin	Attack of the Unsinkable Ship.
Kokumin Seishin Sodoin	Mobilization of National Spirit.
Kotaishidenka Goseikon no Ongi	The Marriage of the Crown Prince.
Kokoku no Tate	The Shield of the Country.
Kogun no Kinshu Nyujo	The Triumph Entry on the Imperial Army into Chanchon.
Kyo no Tatakai	Today's War.
Kokoku no Kagami	Basic Policy of our Country.
Boro no Kesshitai	Death Defying Troops of Rags.
Kagamiyama Kyoenroku	Struggle of Beauties in Kagamiyama.
Hanayome Onmitsu	The Bridal Spy.
Kono Ippyo	The Vote.
Kodakara Koshinkyoku	Large Family's Marching Song.
Tekki Kitarazu	Enemy Planes Never Come.
Oinaru Koshin	The Grand March.
Kessen-ka no Seishonen Gakuto	Students at Home Front Fighting.
Shinkyo	New Homeland.
Kenko o Mamore	Protect Your Health.
Ujibashi Watari Zome Shiki	The Opening Ceremony of Uji Bridge.
Goryoden Otaue Shiki	Rice Plantation Ceremony.
Sanjaku Sagohei	Sanjaku Sagohei.
Hichuden	Rightly Hit Bombs.
Osaru Sankichi Tatakau Sensuiken	Monkey Sankichi's Fighting Submarine.
Mabo no Tekketsu Rikusentai	Mabo's Strong Marine.
Himegimi Dainagon	Married Life.
Tanken-tai	Expedition Party.
Minna Hatarake	Let's All Work.
Keikisen ni Utau	Song of the Troopers.
Nisshi-Senson Yonkagetsu	4 Months at Sino-Japanese Battle Front.
Ore wa Suibei	I am a Sailor.
Noson no Gessho	Chorus in the Farm.
Kotaishi Denka Seiken Ongi	Crown Prince's Marriage.
Kokka	National Anthem.
Senketsu Tegata	Bloody Handmark.
Soroban	Japanese Adding Machine.
Ran no Kaori	Odour of Orchid.
Dai Nippon Taiso	Great Japan's Gymnastics.
Meiryu Jikyoku Engei	Famous Entertainers' Performance of the Time.
Manga Chuahingura	Comics of the Loyal League of 47 Samurai.
Sakura Matsuri	Cherry Festival.
Geketsu Keisu	Family of Heroes.
Fukuchan no Sensuikan	Fuku-chan's Submarine.
Abare Nagawaki Zashi	A Rowdy Gambler.
Idaten Kazuemon	A great Runner Kazuemon.

EXHIBIT A—Continued

Transliterated title	*English translation*
Haha yo Tadashiki Ai o	Mother, Give Your Children a True Love.
Pukuchan no Sensuikan	Fukuchan's Submarine.
Nogi Shogun to Tsuji Ursuri	General Nogi and Tsujiura-seller.
Yamaga Goso	Escort of Yamaga.
Nikuden Sangakusen	Severe Mountain Battle.
Kaigun	Navy.
Kamata Toshokan	Kamata Library.
Kogyo Hokoku	Service to the Country in the Industry.
Werera no Nippon	Our Japan.
Sakura	Cherry Blossoms.
Chingei Dobutsu Koshin	Funny Performances by Animals.
Manga Kinoshita Tokichiro	Cartoon Tokichiro Kinoshita.
Malay Oki Kaison	Battle Off Malay.
Nippon News (Series)	Nippon News.
Kokoro no Mado	Window of the Heart.
Taihei no Senso	War in Peace Time.
Fascism no Taiyo	The Sun of the Fascism.
Kohan no Tsuki	The Moon over the Lake.
Utsukushiki Rinjin	Good Neighbours.
Chuji Tabi Nikki	The Travelling Story of Chuji.
Gekimetsu no Uta	Song of Annihilation.
Temryu Shibuki	Splashes of the Tenryu River.
Junigatsu Yoka	December 8th.
Kaiyo Kyoshitsu	Seaside Schoolroom.
Nessa no Chikai (I)	The Pledge in the Desert.
Nessa no Chikai (II)	The Pledge in the Desert.
Mabuta no Komori Uta	Lullaby of Reminiscence.
Umi no Seimeisen	Front Line of the Sea.
Nisshi Jihen	Sino-Japanese Incident.
Haha no Kokoro	Mother's Heart.
Hanayome Kempo	Bride's Fencing.
Burma	Burma.
Sangyo Hokoku	Service to the Country in the Industrial World.
Doho	Brethren.
Churcito o Aogimiyo	Look up the Memorial Tower of Patriots!
Kunio Manotta Shohei Memore	Protect the Wounded Soldiers!

[F. R. Doc. 51-15377; Filed, Dec. 28, 1951; 8:50 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

SMALL TRACT CLASSIFICATION ORDER NO. 46

DECEMBER 19, 1951.

1. Pursuant to the authority delegated to me under section 2.21 of Order No. 1, Bureau of Land Management, Region VII, approved by the Acting Secretary of the Interior August 20, 1951 (16 F. R. 8625, 8627), I hereby classify as hereinafter indicated under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, the following described public lands in the Anchorage, Alaska, Land District comprising 18 tracts for lease and sale:

BROAD PASS AREA

For Cabin Sites

FAIRBANKS MERIDIAN

T. 19 S., R. 9 W.,
Sec. 33: That portion of the NW¼ lying north and west of the Alaska Railroad, except the NW¼NW¼NW¼.
Containing approximately 87.4 acres.

2. The lands are located along the west side of the Alaska Railroad, at Broad Pass, Alaska, approximately 190 miles north of Anchorage. Access to the area is obtainable by foot from Broad Pass Station, situated about one quarter mile northeast of the subject lands. The lands comprise a portion of the Chulitna River flood plain and are topographically level. Adequate water for domestic uses can be obtained from wells and

sewage disposal may be made by the use of cesspools. No public facilities are obtainable in the area at the present time. The climate is a combination of subarctic continental and alpine types, with extremely cold winters, characterized by excessive snowfall. The summers are moderately mild and warm.

3. Pursuant to § 257.9 of the Code of Federal Regulations (43 CFR Part 257), a preference right to a lease is accorded to those applicants whose applications (a) were regularly filed, under the regulations issued pursuant to the act, prior to this classification, and (b) are of the type of site for which the lands subject thereunder have been classified. As to such applications, this order shall become effective upon the date which it is signed.

4. As to the lands not covered by the applications referred to in paragraph 3, this order shall not become effective to permit the leasing of such land under the Small Tract Act of June 1, 1938, cited above, until 10:00 a. m. on January 8, 1952. At that time such land shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection, as follows:

(a) *Ninety-one day period for other preference right filings.* For a period of 91 days from 10:00 a. m. on January 8, 1952, to close of business on April 7, 1952, inclusive, to (1) application under the Small Tract Act of June 1, 1938, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279, 282), as amended, and by other qualified persons entitled to credit for service under the said act, subject to the requirements of applicable law, and (2) applications under any applicable public land laws, based on prior existing valid settlement and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans and by other persons entitled to credit for service shall be subject to claims of the classes described in subdivision (2).

(b) *Advance period for simultaneous preference right filings.* All applications by such veterans and persons claiming preference rights superior to those of such veterans filed on December 19, 1951, or thereafter, up to and including 10:00 a. m. on January 8, 1952, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public land laws.* Commencing at 10:00 a. m. on April 8, 1952, any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally.

(d) *Advance period for simultaneous non-preference right filings.* Applications under the Small Tract Act by the general public filed on March 19, 1952, or thereafter, up to and including 10:00 a. m. on April 8, 1952, shall be treated as simultaneously filed.

5. A veteran shall accompany his application with a complete photostatic, or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claim. Persons asserting preference rights, through settlement or otherwise, and those having equitable claim, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

6. All applications referred to in paragraphs 3 and 4, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent that such regulations are applicable. Applications under the Small Tract Act of June 1, 1938 shall be governed by the regulations contained in Part 257 of Title 43 of the Code of Federal Regulations.

7. Lessees under the Small Tract Act of June 1, 1938, will be required, within a reasonable time after execution of the lease, to construct upon the leased land, to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which, in the circumstances, are presentable, substantial and appropriate for the use for which the lease is issued. Leases will be for a period of not more than three years, at an annual rental of $5.00, payable in advance for the entire lease period. Every lease will contain an option to purchase clause and every lessee may file an application to purchase at the sale price as provided in the lease.

8. All of the land will be leased in tracts varying in size from approximately 3.2 acres to approximately 6.3 acres, in accordance with the classification map on file in the Land Office, Anchorage, Alaska. The tracts where possible are made to conform in description with the rectangular system of survey, in compact units.

9. All sewage disposal facilities will be located not less than 75 feet from the exterior boundaries of the tract described in the lease, provided, however, that if said tract abuts upon any stream, lake or other body of fresh water, no sewage disposal facility shall be placed within 100 feet of any such water. If the tract described in the lease is located upon sloping lands, lessee should locate any well or sewage disposal facility according to the recommendations of the Alaska Territorial Department of Health.

10. The leases will be made subject to rights-of-way for road purposes and public utilities, of 33 feet in width, on each side of the tracts contiguous to the section and/or quarter section lines, or as shown on the classification maps on file in the Land Office, Anchorage, Alaska. Such rights-of-way may be utilized by the Federal Government, or the State or Territory, county or municipality, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

11. All inquiries relating to these lands shall be addressed to the Manager, Land Office, Anchorage, Alaska.

L. T. MAIN,
Acting Chief,
Division of Land Planning.

[F. R. Doc. 51-15347; Filed, Dec. 28, 1951; 8:45 a. m.]

CALIFORNIA

NOTICE OF FILING OF PLAT OF SURVEY

DECEMBER 21, 1951.

Pursuant to the redelegation of authority provided for in Order No. 1, Region II, section 2.14 (b) approved August 20, 1951 (16 F. R. 8614), authorizing the preparation and publication of notices of the official filing of approved plats of survey, notice is given as follows:

The plat of dependent resurvey, extension survey and subdivision of sections of a portion of Township 2 North, Range 5 East, of the San Bernardino Meridian, accepted February 27, 1951, will be officially filed in the Land Office at Los Angeles, California, effective at 10:00 a. m. on the 35th day after the date of this notice.

All or parts of the sections involved have been subdivided into small tracts.

The lands affected by this notice, being the lands not shown as surveyed on any previous official plat, are described as follows:

SAN BERNARDINO MERIDIAN

T. 2 N., R. 5 E.
Sec. 10, W½;
Sec. 15, W½;
Sec. 22, W½;
Sec. 27, W½, SE¼;
All of Sec. 34.

The area described aggregates 2080.00 acres.

Available data indicates that the lands described are desert and mountainous in character.

No applications for these lands may be allowed under the homestead, small tract, desert land or any other non-mineral public land laws unless the land has already been classified as valuable or suitable for such type of application or shal be so classified upon consideration of an application.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended by qualified veterans of World War II and other qualified persons entitled to pref-

erence under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office, Los Angeles, California, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. All applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Los Angeles, California.

[SEAL] PAUL B. WITMER,
Manager, Land Office.

[F. R. Doc. 51–15348; Filed, Dec. 28, 1951; 8:45 a. m.]

IDAHO

NOTICE OF FILING OF PLAT OF SURVEY

DECEMBER 20, 1951.

Notice is hereby given that the plat of the original survey of the following described lands, accepted September 15, 1950, will be officially filed in the Land and Survey Office, Boise, Idaho, effective at 10:00 o'clock a. m., on the 35th day after the date of this notice:

T. 14 S., R. 44 E., B. M., Idaho:
Sec. 5, Lots 7, 8, 9.
Sec. 6, Lots 11, 12, 13, 14.
Sec. 7, Lots 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, SE¼SE¼.
Sec. 8, Lots 5 to 20, inclusive.
Sec. 17, Lots 2, 3, 4, 5, 6.
Sec. 18, Lot 9.

The area described aggregates 1,137.96 acres.

The land to the north is, for the most part, a low swampy valley through which North Lakes originally drained into Bear River by means of numerous sloughs and creeks. The soil to north and west of the lake is volcanic ash and heavy loam of from 1st to 3rd rate. The vegetation consists chiefly of grass, reeds and weeds, with some sagebrush on the higher ground. Most of the land is utilized for the cutting of wild hay and for pasturage. Numerous sloughs and marshes are found in the area and the depth of the water in these is dependent upon the controlled water stage of North Lake.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) Ninety-one day period for preference-right filings. For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or desert land laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279–284), as amended subject to the requirements of applicable law, and (2) applications under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m., on the said 35th day shall be considered in the order of filing.

(b) Date for non-preference-right filings. Commencing at 10:00 a. m., on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their appliications by duly corroborated statement in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office at Boise, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title to the extent such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257 of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Boise, Idaho.

PAUL A. SHEPARD,
Manager.

[F. R. Doc. 51–15349; Filed, Dec. 28, 1951; 8:45 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E–6397]

CALIFORNIA ELECTRIC POWER CO.

NOTICE OF APPLICATION

DECEMBER 19, 1951.

Take notice that on December 17, 1951, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by California Electric Power Company, a corporation organized under the laws of the State of Delaware and doing business in the States of California and Nevada, with its principal business office at Riverside, California, seeking an order authorizing the issuance of not to exceed $9,000,000 principal sum of promissory notes maturing by their terms prior to twelve months from time of issue. Applicant proposes to issue said notes in varying amounts during the period January 24, 1952, to December 24, 1952, to the Bank of America National Trust and Savings Association evidencing borrow-

ings from said bank; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 8th day of January 1952, file a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-15356; Filed, Dec. 28, 1951; 8:46 a. m.]

[Docket No. E-6389]

SOUTHERN UTAH POWER CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF SECURITIES

DECEMBER 21, 1951.

Notice is hereby given that, on December 20, 1951, the Federal Power Commission issued its order, entered December 19, 1951, authorizing issuance of securities in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-15357; Filed, Dec. 28, 1951; 8:47 a. m.]

[Docket Nos. ID-120, ID-663, ID-1131, ID-1162, ID-1168]

RALPH E. NOCK ET AL.

NOTICES OF ORDERS AUTHORIZING APPLICANTS TO HOLD CERTAIN POSITIONS

DECEMBER 21, 1951.

In the matters of Ralph E. Nock, Docket No. ID-120; Robert M. Watt, Docket No. ID-663; Edgar H. Dixon, Docket No. ID-1131; William G. Whyte, Docket No. ID-1162; Richard E. Pierce, Docket No. ID-1163.

Notice is hereby given that, on December 20, 1951, the Federal Power Commission issued its orders, entered December 18, 1951, authorizing applicants to hold certain positions, pursuant to section 305 (b) of the Federal Power Act in the above-entitled matters.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-15358; Filed, Dec. 28, 1951; 8:47 a. m.]

[Docket No. ID-1036]

CHANDLER W. JONES

NOTICE OF ORDER DISMISSING APPLICATION TO HOLD CERTAIN POSITIONS

DECEMBER 21, 1951.

Notice is hereby given that, on December 20, 1951, the Federal Power Commission issued its order, entered December 18, 1951, dismissing application to hold certain positions, pursuant to section 305 (b) of the Federal Power Act in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-15359; Filed, Dec. 28, 1951; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 811-53]

SELECTED INCOME SHARES

NOTICE OF APPLICATION

DECEMBER 21, 1951.

Notice is hereby given that Selected Income Shares of Chicago has filed an application pursuant to section 8 (f) of the Investment Company Act of 1940 for an order of the Commission declaring that it has ceased to be an investment company within the meaning of the act.

Upon consideration of the application, it appears to the Commission that Selected Income Shares was organized under and pursuant to a trust agreement, dated as of July 15, 1930, by and between Selected Shares Corporation, as depositor, the Foreman-Trust and Savings Bank, as trustee, and the bearers from time to time of the certificates of Selected Income Shares, under which City National Bank and Trust Company of Chicago thereafter became successor trustee; that Selected Income Shares is registered under the Investment Company Act of 1940 as a unit investment trust and has not offered its shares to the public since July 1933.

It further appears that in accordance with the provisions of said trust agreement, Selected Income Shares terminated on July 1, 1950, and the trustee proceeded to sell the trust property and completed the liquidation of the assets within the time limitation; that shareholders were notified by the trustee of said termination and liquidation and were requested to present and surrender their certificates for their pro rata amount of the proceeds amounting to $6.172549 per share less 90 cents per share set aside for possible tax liability; that as of November 13, 1951, certificate holders of 39,095 shares out of the 40,730 outstanding shares have presented their certificates to the trustee for payment, and 1,635 shares remain outstanding representing less than 4 per cent of the total outstanding at the date of termination; that the trustee will hold in trust the sum of $36,447.06, equivalent to 90 cents per share, as a reserve for possible Federal Income Tax Liability until said tax liability is determined and any excess balance is pro rata distributed and the sum of $8,621.65 required for the payment of the remaining outstanding shares pending presentation and surrender of outstanding certificates.

For a more detailed statement of the matters of fact and law asserted, all interested persons are referred to said application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the application may be issued by the Commission at any time on or after January 11, 1952, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than January 8, 1952, at 5:30 p. m., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-15362; Filed, Dec. 28, 1951; 8:47 a. m.]

[File No. 812-741]

INVESTORS DIVERSIFIED SERVICES, INC.

NOTICE OF APPLICATION UNDER THE INVESTMENT COMPANY ACT OF 1940

DECEMBER 21, 1951.

Notice is hereby given that Investors Diversified Services, Inc., a registered face amount certificate company, has filed an application pursuant to Rule N-17D-1 of the general rules and regulations under the Investment Company Act of 1940, regarding an incentive pay plan to be entered into by and between the applicant and its district managers, sales representatives and divisional office secretaries who are engaged directly and indirectly in selling face amount certificates and other securities for which the applicant is the underwriter, under which proposed payments are to be made on or about October 1, 1952, based on business done during the year 1951. The plan is of similar purport, terms and conditions as a like plan for the year 1950.

The applicant is registered with this Commission as a broker under the provisions of the Securities Exchange Act of 1934. It is the underwriter and distributor of securities issued by Investors Syndicate of America, Inc., a registered face amount certificate company and a wholly-owned subsidiary company and of securities issued by Investors Mutual, Inc., Investors Stock Fund, Inc., and Investors Selective Fund, Inc., registered management investment companies which were organized and promoted by the applicant and which are affiliated with said applicant.

All interested persons are referred to said application which is on file at the Washington, D. C., office of this Commission for a more detailed statement of the matter of facts and law therein asserted.

Notice is further given that an order granting the application may be issued

by the Commission at any time after the 14th day of January 1952, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than the 11th day of January 1952, at 5:30 p. m., e. s. t., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-15363; Filed, Dec. 28, 1951; 8:47 a. m.]

[FILE NO. 70-2765]

APPALACHIAN ELECTRIC POWER CO. AND RADFORD LIMESTONE CO., INC.

NOTICE REGARDING THE CONVEYANCE OF CERTAIN PROPERTY FROM PARENT TO SUBSIDIARY

DECEMBER 21, 1951.

Notice is hereby given that Appalachian Electric Power Company ("Appalachian"), an electric utility subsidiary company of American Gas and Electric Company, a registered holding company, and Radford Limestone Company, Incorporated ("Radford"), a wholly-owned nonutility subsidiary company of Appalachian, have filed with the Commission a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935. Sections 7 and 10 of the act and Rule U-43 of the rules and regulations promulgated under the act have been designated as being applicable to the proposed transactions.

All interested persons are referred to said joint application-declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Appalachian owns approximately 36 acres of real estate in Pulaski and Montgomery Counties, Virginia, together with certain machinery and equipment located on such real estate. It is represented that such real estate, machinery and equipment, which is carried on the books of Appalachian at $121,345.61 as of October 31, 1951, was originally acquired by Appalachian in connection with the development and construction of its Claytor hydroelectric project in Pulaski County, Virginia. Appalachian now proposes to convey said real estate, machinery and equipment to Radford.

Radford's present capitalization consists of 50 shares of $100 par value common stock all of which is owned by Appalachian. Radford proposes to amend its Certificate of Incorporation and By-Laws in order to effect an increase in its authorized capital to 1,500 shares of common stock, par value $100, and issue 1,200 shares of such stock to Appalachian in exchange for the said real estate, machinery and equipment.

It is represented that said real estate, machinery and equipment is no longer used or useful in Appalachian's electric utility business and is now under lease to and is being used by Radford in connection with Radford's limestone quarrying business.

The joint application-declaration states that the proposed transactions are subject to the jurisdiction of the State Corporation Commission of Virginia.

Notice is further given that any interested person may, not later than January 7, 1952, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after January 7, 1952, said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule R-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rules U-20-(a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-15364; Filed, Dec. 28, 1951; 8:47 a. m.]

[File No. 54-191]

STANDARD GAS AND ELECTRIC CO. AND PHILADELPHIA CO.

NOTICE OF FILING OF AMENDMENT TO PLAN, REGARDING PROPOSED SETTLEMENT OF CLAIMS BETWEEN STANDARD GAS AND ELECTRIC COMPANY AND ITS PARENT STANDARD POWER AND LIGHT CORPORATION, AND NOTICE OF AND ORDER RECONVENING HEARING

DECEMBER 20, 1951.

A plan for its liquidation and dissolution, dated February 8, 1951, having been filed under section 11 (e) of the Public Utility Holding Company Act of 1935 ("act") by Standard Gas and Electric Company ("Standard"), a registered holding company and a subsidiary of Standard Power and Light Corporation ("Power"), also a registered holding company which holds a 4 percent note of Standard dated April 10, 1946, in the principal amount of $983,930 and also 1,160,000 shares or 53.64 percent of the Common Stock and 40,843 shares or 11.1 percent of the $7 Prior Preference Stock of Standard, and hearings having been held on Step I of such plan which contemplates the retirement of the $7 and $6 Prior Preference Stocks of Standard, through the allocation of portfolio common stocks held by Standard; and

The Commission's Notice of and Order for Hearing on Step I (Holding Company Act Release No. 10413) having set forth as an issue "Whether the proposal to treat Standard Power's holdings of Standard Gas $7 Prior Preference Stock on the same basis as the holdings of public security holders is fair and equitable", and Step II of such plan having contemplated, among other things, the disposition by settlement, or otherwise, of all claims between Standard and Power;

Notice is hereby given that Standard has filed an amendment, designated as Step I-A, to the said plan incorporating provisions for the settlement of the claims between Standard and Power. All interested persons are referred to said amendment which is on file in the offices of the Commission for a full statement of the transactions therein proposed, which are summarized as follows:

Pursuant to an agreement dated as of July 28, 1951, between Standard, Power and Daniel O. Hastings, as Special Trustee for Standard appointed as such by order of the United States District Court for the District of Delaware on November 26, 1937, all claims between Standard and Power, except Power's claims arising from its ownership of stocks of Standard and of Philadelphia Company, a subholding company in the Standard system whose common stock is held to the extent of 96.8 percent by Standard, 0.19 percent by Power and the remainder by the public, will be settled as follows:

(a) Out of the 1,004,958 shares of the common stock of Duquesne Light Company contemplated to be received by Standard pursuant to a pending application proposing the distribution by Philadelphia Company, in partial liquidation, of an aggregate of 1,038,171 shares of common stock of Duquesne Light Company (File No. 54-199), Standard will transfer and deliver to Power 31,000 shares of such common stock.

(b) Power will cancel and deliver to Standard the unsecured note, dated April 10, 1946, of Standard in the Principal amount of $983,930.

(c) Standard and Power will exchange covenants not to sue. The covenant of Power will not affect its claims arising out of ownership of stocks of Standard and Philadelphia Company. It is stated to be the intent of the parties to the agreement that Power's holdings of securities of Standard shall share on a parity with similar publicly owned securities of Standard.

(d) Standard will pay to Daniel O. Hastings, as such Special Trustee, as and for his fees and those of his counsel, such sum, not exceeding $40,000, as may be allowed and approved by the United States District Court for the District of Delaware pursuant to a plan of reorganization of Standard filed under section 77B of the Bankruptcy Act in said Court and confirmed by order of said Court on March 5, 1938.

(e) Daniel O. Hastings, as such Special Trustee, will dismiss the action insti-

tuted by him against Power in the Court of Chancery of New Castle County, Delaware, and will deliver covenants not to sue Standard or Power or any of their officers or directors, past, present or future.

The filing recites that Standard, Power and the Special Trustee have investigated, analyzed and considered the relationships and transactions between or relating to Power and Standard since the organization of Power and indicates that the proposed settlement is intended to discharge all claims in favor of one company as against the other (other than Power's claims arising from its ownership of stock of Standard and of Philadelphia Company), including but not limited to the following specifically described claims:

1. Claims, involving large but undetermined amounts, asserted by the Special Trustee, on behalf of Standard, against Power arising from the transfer of securities by Standard to Power in 1925 and 1926.

2. The claim asserted by Power against Standard on the 4 percent unsecured promissory note, dated October 10, 1946, of Standard in the amount of $983,930, which Standard's plan, in Step II, proposed would be discharged by payment of $578,850 in cash, the cost of the acquisition by Power of the Standard notes and debentures for which the note was substituted.

3. Claims also asserted to involve large amounts, advanced by and on behalf of Power against Standard, relating to transactions between the two in 1930 involving the transfer by Power of all of its assets to Standard in exchange for certain securities of Standard, pursuant to an agreement dated December 21, 1929.

The Commission being required by the provisions of section 11 (e) of the act before approving any plan thereunder to find, after notice and opportunity for hearing, that the plan as submitted or as modified is necessary to effectuate the provisions of subsection (b) of section 11 and is fair and equitable to the persons affected thereby; and it appearing appropriate to the Commission that notice be given and a hearing be held on the said amendment to the plan and that all interested persons be afforded an opportunity to be heard with respect thereto:

It is ordered, That the hearing previously ordered in this proceeding, pursuant to the applicable provisions of the act and the rules and regulations thereunder, be reconvened, before the Hearing Examiner heretofore designated, on January 23, 1952, at 10:00 a. m., at the offices of the Commission, 425 Second Street NW., Washington 25, D. C. On that date the hearing room clerk in Room 193 will advise as to the room in which the hearing will be held. Any person not having heretofore appeared in this proceeding and desiring to be heard in connection with the said amendment or proposing to intervene herein shall file with the Secretary of the Commission on or before January 17, 1952, his written request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the instant amendment and that, on the basis thereof and the applicable issues set forth in Holding Company Act Release No. 10413, the following additional matter and question is presented for consideration by the Commission, without prejudice to the presentation of further matters and questions:

1. Whether the proposal to settle the claims between Standard and Power, as submitted, or as it may hereafter be modified, is fair and equitable and, assuming a fair and equitable settlement, whether the proposal to treat Power's holdings of securities of Standard on the same basis as the holdings of public security holders is fair and equitable.

It is further ordered, That particular attention be directed at said reconvened hearing to the foregoing matter and question.

It is further ordered, That the Secretary of the Commission shall serve a copy of this notice and order by registered mail on Standard; Power; Alfred Berman, Esq.; Milton H. Cohen, Esq.; William L. Fox, Esq.; Leo B. Mittelman, Esq.; Marvin M. Notkins, Esq.; Morton C. Rosenberg, Esq.; Edmond M. Hanrahan, Esq.; I. T. Flatto, Esq.; and Lewis Schimberg, Esq.; and that notice of said hearing shall be distributed to the press and mailed to persons on the mailing list for releases under the act, and that further notice shall be given to all persons by publication of this notice and order in the FEDERAL REGISTER.

It is further ordered, That Standard and Power shall give further notice to all of their respective security holders (insofar as the identity of such security holders is known or available to them) by mailing to each of said persons a copy of this notice and order to his last known address at least 20 days prior to the date of said reconvened hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-15365; Filed, Dec. 28, 1951; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[Rev. S. O. 562, King's I. C. C. Order 55]

BALTIMORE AND OHIO RAILROAD CO.

REROUTING OR DIVERSION OF TRAFFIC

In the opinion of Homer C. King, Agent, The Baltimore and Ohio Railroad Company, because of congestion, is unable to dump all cars of coal routed over its lines at its pier facilities at Curtis Bay, Maryland. *It is ordered,* That:

(a) Rerouting of traffic: The Baltimore and Ohio Railroad Company is hereby authorized to reroute and divert to the Western Maryland Railway Company at Cherry Run, West Virginia, for dumping at Western Maryland Railway Company piers, Port Covington, Maryland, the number of cars of export coal which the Western Maryland Railway Company will accept and dump. Billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad named, desiring to divert or reroute traffic over the line or lines of another carrier under this order, shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) Notification to shippers: The carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the division of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 12:01 a. m., December 22, 1951.

(g) Expiration date: This order shall expire at 11:59 p. m., January 31, 1952, unless otherwise modified, changed, suspended, or annulled.

It is further ordered, That a copy of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., December 21, 1951.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Agent.

[F. R. Doc. 51-15368; Filed, Dec. 28, 1951; 8:48 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 11, Amdt. 1]

HASPEL BROTHERS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 11 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 11 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of men's or boys' wear manufactured or distributed by the Haspel Brothers, Inc. having the brand name(s) "Refreshable" and described in the manufacturer's application dated March 6, 1951, and supplemented and amended by the manufacturer's application(s) dated March 20, 1951, May 14, 1951 and November 5, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made below the retail ceiling prices.

The selling prices to retailers listed below are subject to terms of net 30 days.

Manufacturer's selling price (per unit):	*Ceiling price at retail (per unit)*
$2.35	$3.95
$2.70	4.50
$2.95	4.95
$3.55	5.95
$4.15	6.95
$5.10	*8.50
$5.40	9.00
$5.65	9.50
$6.00	10.00
$6.30	10.50
$6.85	11.25
$6.90	11.50
$8.10	13.50
$9.90	16.50
$10.00	*16.75
$11.70	19.50
$12.60	*21.00
$14.10	*23.50
$15.00	25.00
$16.50	27.50
$19.20	*32.00
$19.50	32.50
$21.90	36.50

2. Delete paragraph 4 of the special order and substitute therefor the following:

4. Within 15 days after the effective date of this special order the supplier shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the supplier had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto issued prior to the date of the delivery.

Within 15 days after the effective date of any subsequent amendment to this special order, the supplier shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the supplier had delivered any article the sale of which is affected in any manner by the amendment.

Effective date. This amendment shall become effective December 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15250; Filed, Dec. 20, 1951; 4:47 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 18, Amdt. 1]

AMELIA EARHART LUGGAGE

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 18 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 18 under Ceiling Price Regulation 7, Section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of luggage manufactured or distributed by Amelia Earhart Luggage having the brand name(s) "Amelia Earlhart" and "Cushion Edge" and described in the manufacturer's application dated April 5, 1951, and supplemented and amended by the manufacturer's application(s) dated April 13, 1951 and September 14, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made below the retail ceiling prices.

The selling prices to retailers listed below are subject to terms of 2 percent 10 days, net 30 days.

WOMEN'S LUGGAGE (3900' SERIES)

Selling price to retailer (per unit):	*Ceiling price at retail (per unit)*
$16.00	*$29.00
$17.50	*31.50
$18.50	33.00
$20.00	36.50
$22.00	*40.50
$27.00	*50.00
$32.50	*59.50
$45.50	*83.50

MEN'S LUGGAGE (3900' SERIES)

$17.50	*$31.50
$18.50	*33.00
$20.00	*36.50
$27.00	*50.00
$32.50	*59.50
$34.50	*63.00
$45.50	*83.50

WOMEN'S LUGGAGE (4100' SERIES)

$20.50	*$36.50
$21.50	*39.50
$22.50	*41.50
$24.00	*43.50
$26.50	*49.00
$31.50	*57.00
$38.00	*68.50
$55.00	*99.50

WOMEN'S LUGGAGE (4200' SERIES)

$33.00	*$60.50
$36.00	*65.50
$39.50	*72.00
$43.00	*78.00
$46.00	*83.50
$59.00	*107.50
$71.50	*131.50

MEN'S LUGGAGE (4200' SERIES)

$36.00	*$65.50
$39.50	*72.00
$46.00	*83.50
$59.00	*107.50
$71.50	*131.50

WOMEN'S LUGGAGE (4300' SERIES)

$36.00	*$67.50
$40.00	*73.00
$43.50	*78.50
$50.50	*92.00
$65.00	*118.00
$79.50	*144.50

WOMEN'S LUGGAGE (4400' SERIES)

$40.00	*$73.00
$43.50	*78.50
$47.50	*86.50
$55.50	*101.50
$72.00	*130.50
$88.00	*157.00

MEN'S LUGGAGE (4400' SERIES)

$43.50	*$78.50
$72.00	*130.50

WOMEN'S LUGGAGE (4500' SERIES)

$144.50	*$262.50
$157.50	*288.50
$170.50	*315.00
$288.50	*525.00
$341.50	*630.00
$393.50	*708.50

MEN'S LUGGAGE (4500' SERIES)

Selling price to retailer (per unit):	Ceiling price at retail (per unit)
$157.50	*$288.50
$341.50	*630.00

WOMEN'S LUGGAGE (4600' SERIES)

$22.00	*$40.00
$23.50	*42.50
$24.50	*44.50
$26.00	*47.50
$28.50	*51.50
$33.50	*61.50
$40.50	*73.50
$59.00	*107.50

MEN'S SOFT-SIDE LUGGAGE

$25.00	*$45.00
$26.50	*48.00
$28.50	*51.50
$30.00	*55.00
$33.00	*60.00
$35.50	*65.00
$38.50	*70.00
$41.50	*75.00
$44.00	80.00
$47.00	*85.00
$52.50	*95.00

FLYING TRUNK

$72.00	*$131.50
$76.00	*139.00
$99.50	*183.50
$105.00	*194.50
$110.00	*205.00

TRUNKS

$19.00	*$34.00
$32.00	*57.50
$33.00	*60.00
$33.50	*60.50
$34.50	*62.50

The number used by the manufacturer to designate a particular line of luggage as described in the manufacturer's printed 1951 price list.

2. Delete paragraph 2 of the special order and substitute therefor the word "deleted."

Effective date. This amendment shall become effective December 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15251; Filed, Dec. 20, 1951; 4:48 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 41, Amdt. 1]

PHOENIX HOSIERY CO.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 41 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 41 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of men's and women's hosiery and men's ties manufactured or distributed by the Phoenix Hosiery Company having the brand name(s) "Phoenix" and described in the manufacturer's or wholesaler's application dated March 8, 1951, and supplemented and amended by the manufacturer's or wholesaler's application(s) dated May 7, 1951, July 11, 1951, and September 7, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made below the retail ceiling prices.

The selling prices to retailers listed below are subject to terms of 2/10 E. O. M.—Net 60—F. o. b. shipping point for men's hose; net 10 E. O. M.—F. o. b. shipping point for women's hose; 7 percent 10 days, E. O. M.—6 percent 60 days, F. o. b., shipping point for neckties.

MEN'S HOSE

Selling price to retailers (per dozen):	Ceiling price at retail (per unit)
$4.65	$0.65
$5.35	.75
$6.05	.85
$7.20	*1.00
$7.85	1.10
$8.75	1.25
$10.50	1.50
$12.25	1.75
$13.75	*1.95
$18.00	2.50

WOMEN'S HOSE

$9.75	$1.35
$10.80	1.50
$11.85	1.65
$12.50	1.75
$13.15	1.85
$13.75	1.95
$14.00	1.95

NECKTIES

$10.50	$1.50
$13.75	2.00
$18.00	2.50
$24.00	3.50

2. Delete paragraph 4 of the special order and substitute therefor the following:

4. Within 15 days after the effective date of this special order the supplier shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the supplier had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto issued prior to the date of the delivery.

Within 15 days after the effective date of any subsequent amendment to this special order, the supplier shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the supplier had delivered any article the sale of which is affected in any manner by the amendment.

Effective date. This amendment shall become effective December 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15252; Filed, Dec. 20, 1951; 4:48 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 42, Amdt. 1]

DAYTON RUBBER CO.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 42 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 42 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of pillows, manufactured by the Dayton Rubber Company having the brand name(s) "Koolfoam" and described in the manufacturer's application dated April 17, 1951, and supplemented and amended by the manufacturer's application(s) dated June 26, 1951, and August 17, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made below the retail ceiling prices.

The selling prices to retailers listed below are subject to terms of 2 percent 10 days, E. O. M.

Selling price to retailer (per unit):	Ceiling price at retail (per unit)
$2.79	$4.65
$2.97	4.95
$4.77	*7.95
$5.37	*8.95
$5.95	*9.95
$6.25	*10.40
$7.17	*11.95
$7.75	12.95

2. Delete paragraph 4 of the special order and substitute therefor the following:

4. Within 15 days after the effective date of this special order the supplier shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the supplier had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto issued prior to the date of the delivery.

Within 15 days after the effective date of any subsequent amendment to this special order, the supplier shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the supplier had delivered any article the sale of which is affected in any manner by the amendment.

Effective date. This amendment shall become effective December 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15253; Filed, Dec. 20, 1951; 4:48 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 78, Amdt. 2]

WAMSUTTA MILLS

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 78 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 78 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of sheets, pillow cases, towels and piece goods manufactured or distributed by Wamsutta Mills having the brand name(s) "Wamsutta" and described in the manufacturer's application dated April 17, 1951, and supplemented and amended by the manufacturer's application(s) dated July 19, 1951, September 10, 1951, August 24, 1951 (date received) and November 24, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made below the retail ceiling prices.

Different ceiling prices are established for eastern and western zones. The western zone is comprised of the states of Arizona, California, Colorado, Idaho, Montana, New Mexico, Oregon, Utah, Washington, Wyoming, and Texas west of El Paso. The eastern zone includes the remainder of the United States.

The selling prices to retailers listed below are subject to terms of 3/10, 2/70, Net 71, F. O. B. New Bedford, Massachusetts.

SHEETS, PILLOWCASES AND TOWELS

Selling price to retailers (per unit):	Ceiling price at retail (per unit)
$0.61	*$1.00
$0.77	*1.25
$0.93	*1.50
$1.13	*1.85
$1.27	*2.05
$1.29	*2.15
$1.47	*2.45
$1.91	*3.10
$2.07	*3.35
$2.12	*3.45
$2.20	*3.55
$2.26	*3.65
$2.43	*3.95
$2.71	*4.40
$2.88	*4.80
$3.96	*6.40
$4.30	*6.95
$4.58	*7.40
$5.07 through $5.23	*8.45
$5.48	*8.85
$5.97 through $6.03	*9.95
Per set:	Per set
$2.94 through $2.97	*$4.95
$3.57 through $3.60	*5.95
$4.17	*6.95
$4.74	*7.90
$6.57	*10.95
$7.14	*11.90
$8.97	*14.95
Per box:	Per box
$1.65	*$2.75
Per dozen:	Per unit
$2.85	*$0.39

PIECE GOODS

Selling price to retailers (per yard)	Ceiling price at retail, eastern zone (per yard)	Ceiling price at retail, western zone (per yard)
$0.36 through $0.41	$0.69	*$0.79
$0.415 through $0.47	.79	*.89
$0.475 through $0.53	.89	*.98
$0.535 through $0.585	.98	*1.09
$0.59 through $0.625	1.09	*1.19
$0.63 through $0.71	1.19	*1.29
$0.715 through $0.76	1.29	*1.39
$0.765 through $0.82	1.39	*1.49
$0.825 through $0.88	1.49	*1.59
$0.885 through $0.945	1.59	*1.69
$0.95 through $0.99	1.69	*1.79
$0.995 through $1.07	1.79	*1.89
$1.075 through $1.11	1.89	*1.98
$1.115 through $1.185	1.98	*2.19
$1.19 through $1.275	2.19	*2.29
$1.28 through $1.37	2.29	*2.39
$1.375 through $1.43	2.39	*2.49
$1.435 through $1.49	2.49	*2.59
$1.495 through $1.545	2.59	*2.69
$1.55 through $1.61	2.69	*2.79
$1.615 through $1.665	2.79	*2.89

PIECE GOODS—Continued

Selling price to retailers (per yard)	Ceiling price at retail, eastern zone (per yard)	Ceiling price at retail, western zone (per yard)
$1.67 through $1.725	$2.89	*$2.98
$1.73 through $1.78	2.98	*3.19
$1.785 through $1.91	3.19	*3.29
$1.915 through $1.97	3.29	*3.39
$1.975 through $2.03	3.39	*3.49
$2.035 through $2.09	3.49	*3.59
$2.095 through $2.15	3.59	*3.69
$2.155 through $2.21	3.69	*3.79
$2.215 through $2.27	3.79	*3.89
$2.275 through $2.33	3.89	*3.98
$2.335 through $2.38	3.98	*4.19

2. Delete paragraph 4 of the special order and substitute therefor the following:

4. Within 15 days after the effective date of this special order the supplier shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the supplier had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto issued prior to the date of the delivery.

Within 15 days after the effective date of any subsequent amendment to this special order, the supplier shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the supplier had delivered any article the sale of which is affected in any manner by the amendment.

Effective date. This amendment shall become effective December 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15255; Filed, Dec. 20, 1951; 4:49 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 122, Amdt. 1]

HUDSON HOSIERY CO.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 122 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 122 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of women's nylon and silk hosiery manufactured or distributed by the Hudson Hosiery Company having the brand name(s) "Hudson" and described in the manufacturer's application dated April 6, 1951, and supplemented and amended by the manufacturer's application(s) dated July 18, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made below the retail ceiling prices.

The selling prices to retailers listed below are subject to terms of Net 10 days, f. o. b., Charlotte, N. C.

Selling price to retailers (per dozen):	*Ceiling price at retail (per unit)*
$7.25	*$1.00
$8.25	1.15
$8.75 through $9.00	1.25
$9.50 through $9.70	1.35
$10.75	1.50

2. Delete paragraph 4 of the special order and substitute therefor the following:

4. Within 15 days after the effective date of this special order the supplier shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the supplier had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto issued prior to the date of the delivery.

Within 15 days after the effective date of any subsequent amendment to this special order, the supplier shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the supplier had delivered any article the sale of which is affected in any manner by the amendment.

Effective date. This amendment shall become effective December 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15256; Filed, Dec. 20, 1951; 4:49 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 300, Amdt. 2]

BUXBAUM CO.

CEILING PRICES AT RETAIL

Statement of Considerations. This amendment to Special Order 300 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 300 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of rubber mats, carpetreds, link mats and kitchen floor mats manufactured or distributed by the Buxbaum Company having the brand name(s) "Akro" and described in the manufacturer's application dated June 13, 1951, and supplemented and amended by the manufacturer's application(s) dated August 23, 1951, September 13, 1951, October 4, 1951, and October 8, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made below the retail ceiling prices.

Different ceiling prices are established for eastern and western zones. The western zone is comprised of the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming. The eastern zone includes the remainder of the United States.

Stock No.	Ceiling price at retail, all other States (per unit)	Ceiling price at retail, Texas, Denver, and West (per unit)
1001	$0.79	$0.85
1002	.95	1.09
930	*1.49	*1.69
931	*2.19	*2.39
940		
941		
942	*2.29	*2.39
970	*2.49	*2.79
3000	2.69	2.98
971	*3.79	*3.98
3001	3.95	4.39
900	*3.98	*4.29
3002	5.39	5.98
3003	8.10	9.10

2. Delete paragraph 3 of the special order and substitute therefor the following:

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner.

(4) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order and any amendment to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order, each purchaser for resale (other than retailers) shall send a copy of the order to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner.

Effective date. This amendment shall become effective December 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15258; Filed, Dec. 20, 1951; 4:50 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 317, Amdt. 1]

BEVERLY VOGUE CO.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 317 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 317 under Ceiling Price Regulation

7, section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of lingeries, girdles, pantie girdles, and garter belts manufactured or distributed by the Beverly Vogue Company having the brand name(s) "Beverly Vogue California" and described in the manufacturer's application dated May 23, 1951, and supplemented and amended by the manufacturer's application(s) dated October 5, 1951 and August 17, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made below the retail ceiling prices.

The selling prices to retailers listed below are subject to terms of 2/10 EOM for lingerie and 8/10 EOM for girdles, pantie girdles, and garter belts.

LINGERIE

Selling price to retailers (per dozen):	*Ceiling price at retail (per unit)*
$7.50	*$1.00
$12.00	*1.65
$14.00 through $14.49	*1.95
$14.50	1.95
$14.51 through $15.00	*1.95
$15.75	2.25
$17.50 through $18.00	*2.50
$21.00 through $22.49	*2.95
$22.50	2.95
$24.00	*3.50
$27.00 through $28.49	*3.95
$28.50 through $30.00	3.95
$36.00	4.95
$39.00 through $41.99	*5.95
$42.00	5.95
$48.00	6.95
$54.00 through $57.00	7.95
$63.00	8.95
$63.01 through $64.00	*8.95
$72.00	9.95
$78.00	*10.95
$84.00	11.95
$93.00	12.95
$105.00	*14.95
$112.00 through $114.99	*15.95
$115.00	15.95
$116.00	*16.95
$130.00	*19.95

GIRDLES, PANTIE GIRDLES, GARTER BELTS

$4.00	*$0.59
$5.25	.75
$7.50	*1.00
$8.00 through $9.00	*1.25
$12.00	*1.50
$15.00	*1.95
$16.50 through $17.99	*2.50
$18.00	2.50
$21.00 through $22.49	*2.95
$22.50	2.95
$24.00	*3.50
$27.00	3.95

GIRDLES, PANTIE GIRDLES, GARTER BELTS

$27.01 through $30.00	*$3.95
$33.00 through $35.99	*5.00
$36.00	5.00
$39.00 through $41.99	*5.95
$42.00	*[1] 6.50
$48.00	7.50
$54.00	8.50

GIRDLES, PANTIE GIRDLES, GARTER BELTS—Con.

Selling price to retailers (per dozen):	*Ceiling price at retail (per unit)*
$57.00	$8.95
$60.00 through $62.99	*10.00
$63.00 through $66.00	10.00
$72.00	*10.95
$78.00	*12.50
$84.00	*13.50
$96.00	*15.00

[1] Girdles and pantie girdles having the style numbers 3110, 4110, 4172, 6110, and 6172 in the manufacturer's application dated May 23, 1951, so long as they have a manufacturer's selling price of $42.00 per dozen, shall have a ceiling price at retail of $5.95 per unit, and the manufacturer's selling price shall carry terms of 8/10 EOM.

2. Delete paragraph 4 of the special order and substitute therefor the following:

4. Within 15 days after the effective date of this special order the supplier shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the supplier had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto issued prior to the date of the delivery.

Within 15 days after the effective date of any subsequent amendment to this special order, the supplier shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the supplier had delivered any article the sale of which is affected in any manner by the amendment.

Effective date. This amendment shall become effective December 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15260; Filed, Dec. 20, 1951; 4:50 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 357, Amdt. 2]

INTERNATIONAL MOLDED PLASTICS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 357 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 357 under Ceiling Price Regulation 7, Section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of plastic dinnerware having the brand name(s) "Brookpark" and "Desert Flower" and described in the manufacturer's application dated April 9, 1951, and supplemented and amended by the manufacturer's application(s) dated August 30, 1951 and August 31, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made below the retail ceiling prices.

Different ceiling prices are established for Eastern and Western areas. The Western area is comprised of the states of Arizona, California, Colorado, Idaho, Montana, Nevada, Oregon, New Mexico, Utah, Washington and Wyoming. The Eastern area includes the remainder of the states in the United States and the District of Columbia.

BROOKPARK

Model No.	Ceiling price at retail, eastern area (per unit)	Ceiling price at retail, western area (per unit)
3-B		
4-B	$1.00	$1.15
9-B	1.00	1.35
11-B	1.15	1.35
6-B	1.25	1.35
5-B	1.35	1.50
2-B	1.50	1.60
10-B	1.75	1.75
1-B	1.95	2.25
TB-1	2.95	2.95
8-B	3.25	3.50
7-B		
TB-2		
ST-2	3.95	3.95
BS-4	4.50	5.00
TB-3		
SN-4	4.95	4.95
BS-5	12.95	13.75
B-16	15.95	17.95
B-20	19.95	22.50

DESERT FLOWER

3-F		
4-F	$0.75	*$0.95
6-F	1.00	*1.25
2-F		
5-F	1.25	*1.50
1-F		
9-F		
10-F	1.75	*1.95
8-F	3.25	*3.50
7-F	3.95	*3.95
FS-4	4.50	*5.00
F-8	6.95	*7.95
FS-5		*14.50
F-16	13.90	*15.90

2. Delete paragraph 4 of the special order and substitute therefor the following:

4. Within 15 days after the effective date of this special order the supplier shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the supplier had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the

date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto issued prior to the date of delivery.

Within 15 days after the effective date of any subsequent amendment to this special order, the supplier shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the supplier had delivered any article the sale of which is affected in any manner by the amendment.

Effective date. This amendment shall become effective December 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15263; Filed, Dec. 20, 1951; 4:51 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 473, Amdt. 2]

DOMINION ELECTRIC CORP.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 473 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 473 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of electrical appliances: toasters, flat irons, waffle irons, table cookers, sandwich toasters, heaters, corn poppers, table stoves, table ranges, hair dryers, coffee maker, percolator, deep fryer and fans manufactured or distributed by the Dominion Electric Corporation having the brand name(s) "Dominion" and described in the manufacturer's application dated May 11, 1951, and supplemented and amended by the manufacturer's application(s) dated September 5, 1951 and October 15, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made below the retail ceiling prices.

Different ceiling prices are established for eastern and western zones. The western zone II is comprised of the states of California, Washington, Arizona, Colorado, Idaho, New Mexico, Montana, Utah, Wyoming, Oregon and Nevada. The eastern zone I includes the remainder of the United States.

TOASTERS

Item No.	Ceiling price at retail, zone I (per unit)	Ceiling price at retail, zone II (western) (per unit)
1109	$5.95	$6.45
1111	13.95	14.45
1115	17.95	18.45

FLAT IRONS

1025	$5.95	$6.45
1005	7.95	8.45
1007, 1013	8.95	9.45
1004, 1011	9.45	10.45

WAFFLE IRONS

1314	$10.95	$11.95
1315	12.95	13.95
1362	14.95	15.95
1361	16.95	17.95
1313	17.95	18.95

TABLE COOKER

1311	$26.95	$27.95

SANDWICH TOASTERS

1204	$12.95	$13.95
1218	15.95	16.95
1222	18.95	19.95

HEATER

1528	$17.95	$18.95

CORN POPPER

1702	$6.45	$6.95
1703	9.95	10.95

TABLE STOVES

1417	$3.95	$4.25
1423	6.95	7.45
1427	8.95	9.95
1425	12.95	13.45
1408	13.95	14.95
1430	19.95	20.95

TABLE RANGES

1429	$29.95	$31.95

HAIR DRYERS

1801	$8.95	$9.45
1802	9.95	10.75

COFFEE MAKER

1601	$16.95	$17.95

PERCOLATOR

1602	$8.95	$9.45

DEEP FRYER

2101	$24.95	$25.95

FANS

Item No.	Ceiling price at retail, zone I (per unit)	Ceiling price at retail, zone II (western) (per unit)
2004	$5.95	$6.45
2005	12.95	13.95
2021	13.95	14.95
2012	15.95	16.95
2015	19.95	20.95
2019	*21.95	22.95
2020	*22.95	22.95
2014	*22.95	23.95
2023	*26.95	28.45
1311, 1399	29.95	31.95

2. Delete paragraph 3 of the special order and substitute therefor the following:

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner.

(4) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order and any amendment to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order, each purchaser for resale (other than retailers) shall send a copy of the order to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner.

Effective date. This amendment shall become effective December 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15269; Filed, Dec. 20, 1951; 4:52 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 478, Amdt. 1]

SEAMPRUFE INC.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 478 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 2 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 478 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 2 of the special order and substitute therefor the following:

2. *Retail ceiling prices for listed articles.* The following ceiling prices are established for sales after the effective date of this special order by any seller at retail of women's slips, petticoats, pajamas, gowns and hosiery manufactured or distributed by Seamprufe Incorporated having the brand name "Seamprufe" and described in the supplier's application dated June 6, 1951, as supplemented and amended by the supplier's applications dated August 22, 1951 and October 8, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made below the retail ceiling prices.

The selling prices to retailers listed below are subject to terms of 8/10 EOM, except (a) nylon tricot articles which are subject to terms of 1/10 EOM, and (b) the "Seamprufe" stockings which are sold on terms of net 10 EOM.

MULTIFILAMENT RAYON CREPE SLIPS

Selling price to retailers (per dozen):	*Ceiling price at retail (per unit)*
$19.50	*$2.50
$22.50	*2.98
$26.25	3.50
$30.00	*3.98
$31.50	3.98
$36.00	*4.98
$37.50	4.98
$45.00	5.95

MULTIFILAMENT RAYON CREPE PETTICOATS

$22.50	*2.98
$26.25	*3.50
$30.00	*3.98
$31.50	3.98

MULTIFILAMENT RAYON CREPE GOWNS

$31.50	*$3.98
$36.00	4.98
$37.50	*4.98
$45.00	5.95
$51.00	6.95

MULTIFILAMENT RAYON CREPE PAJAMAS

Selling price to retailers (per dozen):	*Ceiling price at retail (per unit)*
$60.00	$7.95

NYL-DE-CHINE SLIPS

$36.00 through $37.50	$4.98
$45.00	*5.95
$60.00	7.95

ORLON SLIP

$78.00	$10.95

NYLON TRICOT SLIPS

$42.00	*$5.95
$48.00	*6.95
$55.00	7.95
$62.00	8.95
$90.00	*12.95

NYLON TRICOT PETTICOATS

$35.00	*$4.98
$42.00	5.95
$62.00	*$8.95
$76.00	*10.95
$90.00	12.95
$102.00	14.95

"SEAMPRUFE" STOCKINGS

$9.75	*$1.35
	(or 3 pr. for $3.90)
$10.75	1.50
	(or 3 pr. for $4.35)
$10.80	*1.50
	(or 3 pr. for $4.35)
$11.85	1.65
	(or 3 pr. for $4.80)
$12.75	1.75
	(or 3 pr. for $5.10)
$14.00	1.95
	(or 3 pr. for $5.70)
$14.25	1.95
$16.00	2.25

2. In paragraph 7 of the special order delete subparagraph (a) and substitute therefor the following:

(a) *Sending order to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

3. In paragraph 7 of the special order delete subparagraph (b) and substitute therefor the following:

(b) *Notification to new customers.* A copy of this special order shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

4. In paragraph 7 of the special order delete sub-paragraph (d).

5. Delete paragraph 8 and insert the word "Deleted" after the paragraph designation "8".

Effective date. This amendment shall become effective December 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15270; Filed, Dec. 20, 1951; 4:52 p. m.]

[Ceiling Price Regulation 7, Section 43, Appendix to Special Order 311]

WADSWORTH WATCH CASE CO., INC.

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 311 under Section 43, Ceiling Price Regulation 7, effective August 9, 1951, issued to The Wadsworth Watch Case Company, Inc., Dayton, Kentucky, covering men's and women's watches having the brand name "Wadsworth" lists the manufacturer's selling prices and ceiling prices at retail established by the special order.

Appendix. The manufacturer's selling prices are subject to the following terms: 2 percent case discount for payment on or before 10th day of month following date of invoice. Net payment 50 days later.

Manufacturer's selling price (per unit):	*Ceiling prices at retail (per unit) (includes 10 percent tax)*
$10.65	$19.95
$12.35	24.95
$13.75	25.95
$14.50 through $15.30	29.75
$16.85	[1] 33.75
$17.50	39.75
$22.65	49.75

[1] Watch having the model number 4-S-3001 in the manufacturer's application dated June 26, 1951, so long as it has a manufacturer's selling price of $16.25 per unit, shall have a ceiling price at retail of $35.75 per unit, and the manufacturer's selling price shall carry terms of 2 percent cash discount for payment on or before 10th day of month following date of invoice. Net payment 50 days later.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15259; Filed, Dec. 20, 1951; 4:50 p. m.]

[Ceiling Price Regulation 7, Section 43, Appendix to Special Order 421]

LINCOLN METAL PRODUCTS CORP.

MANUFACTURER'S SELLING PRICES

The following appendix to Special Order 421 under Section 43, Ceiling Price Regulation 7, effective August 16, 1951, issued to Lincoln Metal Products Corporation, 136 Clifton Place, Brooklyn 5, New York, covering step-on garbage cans, bread boxes, canister sets having the brand name "Beautyware" lists the manufacturer's selling prices and ceiling prices at retail established by the special order.

Appendix. The manufacturer's selling prices are subject to the following terms:

	Eastern zone	Western zone
L-12	$4.98	$5.19
LS-1	4.98	5.29
L-17D	5.98	6.19
LB-1	5.98	6.29
LPD-14	6.98	6.99
LPD-16	7.98	7.99
LC-2	9.98	9.99

Eastern Zone. That area of the United States consisting of the District of Columbia, and all states not included in the Western Zone with the exception of the City of St. Louis.

Western Zone. Arkansas, Arizona, California, Colorado, Idaho, Iowa, Kansas, Louisiana, Missouri, Montana, Nebraska, Nevada, New Mexico, North Da-

kota, Oklahoma, South Dakota, Texas, Utah, Washington, Wyoming and Oregon.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15265; Filed, Dec. 20, 1951; 4:51 p. m.]

[Ceiling Price Regulation 7, Section 43, Appendix to Special Order 353]

S. W. FARBER, INC.

MANUFACTURER'S SELLING PRICE AND CEILING PRICES AT RETAIL

The following appendix to Special Order 353 under Section 43, Ceiling Price Regulation 7, effective August 10, 1951, issued to S. W. Farber, Inc., 415 Bruckner Boulevard, New York 54, N. Y. covering stainless steel cooking ware and small electrical houseware appliances having the brand name "Farberware" lists the manufacturer's selling prices and ceiling prices at retail established by the special order.

Appendix. The manufacturer's selling prices are subject to the following terms: 2 percent 10 days, 30 days net.

FARBERWARE STAINLESS STEEL COOKING WARE

Selling price to retailers	Ceiling price at retail	
	East of the Mississippi River [1]	West of the Mississippi River [2]
$0.53 each	$0.95 each	$0.95 each.
$0.75 each	$1.35 each	$1.35 each.
$0.99 each	$1.75 each	$1.80 each.
$1.10 each	$1.95 each	$2.00 each.
$1.56 each	$2.75 each	$2.85 each.
$1.65 each	$2.90 each	$3.00 each.
$1.94 each	$3.50 each	$3.65 each.
$2.18 each	$3.85 each	$3.95 each.
$2.19 each	$3.95 each	$4.15 each.
$2.42 each	$4.25 each	$4.39 each.
$2.49 each	$4.50 each	$4.75 each.
$2.62 each	$4.60 each	$4.75 each.
$2.90 each	$5.15 each	$5.25 each.
$3.30 each	$5.79 each	$5.99 each.
$3.67 each	$6.45 each	$6.65 each.
$3.83 each	$6.75 each	$6.95 each.
$4.22 each	$7.40 each	$7.65 each.
$4.40 each	$7.95 each	$7.95 each.
$4.69 through $4.70 each.	$8.25 each	$8.50 each.
$4.94 each	$8.65 each	$8.95 each.
$5.10 each	$8.95 each	$9.25 each.
$5.96 each	$10.45 each	$10.75 each.
$6.04 through $6.05 each.	$10.60 each	[3] $10.95 each.
$6.60 each	$11.60 each	$11.95 each.
$6.81 each	$11.90 each	$12.35 each.
$7.13 each	$12.50 each	$12.95 each.
$7.70 each	$13.50 each	$13.95 each.

FARBERWARE ELECTRICAL APPLIANCES

$1.75 each	$2.95 each	$3.15 each.
$10.45 each	$17.95 each	$18.95 each.
$11.00 each	$18.95 each	$19.95 each.
$11.55 each	$19.95 each	$20.95 each.
$12.75 each	$21.95 each	$22.95 each.
$13.30 each	$22.95 each	$23.95 each.
$13.90 each	$23.95 each	$24.95 each.
$15.00 each	$25.95 each	$26.95 each.
$15.65 each	$26.95 each	$27.95 each.
$18.00 each	$30.95 each	$31.95 each.
$19.75 each	$33.95 each	[4] $34.95 each.
$20.45 set	$35.95 set	$36.95 set.
$22.20 set	$38.95 set	$39.95 set.
$26.15 set	$45.95 set	$47.95 set.
$28.40 set	$49.95 set	$51.95 set.

[1] East of the Mississippi River includes the following states: Mississippi, Tennessee, Kentucky, Illinois, Wisconsin and all other states East of these states.

[2] West of the Mississippi includes the following states: Louisiana, Arkansas, Missouri, Iowa, Minnesota and all other states West of these states.

[3] 3-piece starter set having catalog number SS3 in the manufacturer's application dated June 4, 1951, so long as it has a manufacturer's selling price of $6.04 per set, shall have a ceiling at retail of $10.60 per set East of the Mississippi River and $10.95 per set West of the Mississippi River, and the manufacturer's selling price shall carry terms of 2 percent 10 days, 30 days net.

[4] 8-cup percolator set having catalog number 230 in the manufacturer's application dated June 4, 1951, so long as it has a manufacturer's selling price of $19.35 per set, shall have a ceiling at retail of $33.95 per set East of the Mississippi River, and $34.95 per set West of the Mississippi River, and the manufacturer's selling price shall carry terms of 2 percent 10 days, 30 days net.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15262; Filed, Dec. 20, 1951; 4:50 p. m.]

[Ceiling Price Regulation 7, Section 43, Appendix to Special Order 451]

MASTER CLOTHES, INC.

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 451 under section 43, Ceiling Price Regulation 7, effective August 17, 1951, issued to Master Clothes, Inc., 1133 Arch Street, Philadelphia 7, Pennsylvania, covering boys' outerwear having the brand name(s) "Botany Brand 2-2-22 Tailored by Master Clothes" lists the manufacturer's selling prices and ceiling prices at retail established by the special order.

Appendix. The manufacturer's selling prices are subject to the following terms: Net 10 E. O. M.

Manufacturer's selling price (per unit):	*Ceiling prices at retail (per unit)*
$2.35	$3.95
$3.35	5.95
$7.15	11.95
$7.75	12.95
$9.55	15.95
$10.15	16.95
$13.15	21.95
$13.80	23.00
$15.00	25.00
$16.20	27.00
$16.75	27.95
$17.95	29.95
$19.50	32.50
$21.00	35.00
$22.50	37.50
$27.00	45.00
$29.70	49.50
$33.00	55.00
$36.00	60.00

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15266; Filed, Dec. 20, 1951; 4:51 p. m.]

[Ceiling Price Regulation 7, Section 43, Appendix to Special Order 462]

HIRSCH-WEIS CANVAS PRODUCTS CO.

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 462 under section 43, Ceiling Price Regulation 7, effective August 18, 1951, issued to Hirsch-Weis Canvas Products Co., 3121 N. E. Sandy Bend, Portland 12, Oregon, covering sleeping bags, pack equipment having the brand name(s) "White Stag" lists the manufacturer's selling prices and ceiling prices at retail established by the special order.

Appendix. The manufacturer's selling prices are subject to the following terms: 2 percent 10 EOM.

WHITE STAG SLEEPING BAGS

Manufacturer's selling price (per unit):	*Ceiling prices at retail (per unit)*
$2.95	$4.95
$9.50	15.95
$11.25	18.95
$13.25	21.95
$16.50	27.50
$18.90	31.50
$20.75	34.50
$22.20	36.95
$24.95	41.50
$27.95	46.50
$28.50	47.50
$35.80	59.75
$41.75	69.50
$59.00	98.50

WHITE STAG PACK EQUIPMENT

$0.45	$0.75
$2.10	3.50
$2.35 through $2.40	3.95
$2.85	4.75
$2.95	4.95
$3.45	5.75
$4.15	[1] 6.50
$4.20	6.95
$4.50	7.50
$4.65	7.75
$5.10	8.50
$9.30	15.50

[1] White stag pack equipment having the style number 5115 in the manufacturer's application dated April 10, 1951, so long as it has a manufacturer's selling price of $4.15 per unit, shall have a ceiling price at retail of $6.95 per unit, and the manufacturer's selling price shall carry terms of 2 percent 10 EOM.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15268; Filed, Dec. 20, 1951; 4:52 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 669, Amdt. 2]

UNIVERSAL POTTERIES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 669 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 669 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of household dinnerware manufactured or distributed by Universal Potteries, Inc. having the brand name(s) "Ballerina" and "Vogue" and described in the manufacturer's application dated September 5, 1951, and supplemented and amended by the manufacturer's application(s) dated October 17, 1951.

Different ceiling prices are established for eastern and western zones. Zones of Denver and west are comprised of the states of Arizona, California, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, Denver, and west of Denver, Colorado. Zones east of Denver include the remainder of the United States.

The selling prices to retailers listed below are subject to terms of net 30 days f. o. b., Cambridge, Ohio.

BALLERINA COLORED GLAZE DINNERWARE

Selling price to retailers (per dozen)	Ceiling price at retail east of Denver (per unit)	Ceiling price at retail, Denver and west (per unit)
$1.29	$0.25	$0.30
$1.54	.30	.35
$1.80	.35	.40
$2.05	.40	.45
$2.31	.45	.50
$2.57	.50	.60
$2.82	.55	.60
$3.08	.60	.70
$3.34	.65	.75
$3.59 through $3.60	.70	.80
$4.10 through $4.11	.80	.90
$4.62	.90	.95
$5.13	1.00	1.10
$5.64	1.10	1.20
$6.93	1.35	1.50
$7.70	1.50	1.65
$14.11	2.75	3.00

Selling price to retailers (per set)	Ceiling price at retail east of Denver (per set)	Ceiling price at retail, Denver and west (per set)
$3.00 through $3.18	$5.95	$6.95
$11.20 through $11.35	22.95	26.95

VOGUE COLORED GLAZE DINNERWARE

Selling price to retailers (per dozen)	Ceiling price at retail east of Denver (per unit)	Ceiling price at retail, Denver and west (per unit)
$1.54	$0.30	*$0.35
$1.80	.35	*.40
$2.31	.45	*.50
$2.57	.50	*.60
$2.82	.55	*.60
$4.10	.80	*.90
$4.62	.90	*1.00
$4.87	.95	*1.05
$5.64	1.10	*1.15
$5.90	1.15	*1.25
$6.41	1.25	*1.35
$7.70	1.50	*1.65
$8.98	1.75	*1.90

Selling price to retailers (per set)	Ceiling price at retail east of Denver (per set)	Ceiling price at retail, Denver and west (per set)
$3.08	$7.95	*$8.95
$12.73	26.95	*27.95

VOGUE DECORATED DINNERWARE

Selling price to retailers (per dozen)	Ceiling price at retail east of Denver (per unit)	Ceiling price at retail, Denver and west (per unit)
$1.80	$0.35	*$0.40
$2.05	.40	*.45
$2.57	.50	*.60
$2.82	.55	*.60
$3.08	.60	*.65
$3.59	.70	*.80
$4.87	.95	*1.05
$5.64	1.10	*1.20
$6.93	1.35	*1.50
$7.18	1.40	*1.50
$8.21	1.60	*1.75
$10.26	2.00	[1] *2.15

Selling price to retailers (per set)	Ceiling price at retail east of Denver (per set)	Ceiling price at retail, Denver and west (per set)
$4.40	$8.95	*$9.95
$4.93	29.95	*30.95

[1] Vogue decorated dinnerware described in the manufacturer's application for amendment dated Oct. 17, 1951, so long as it has a manufacturer's selling price of $10.26 per dozen, shall have a ceiling price at retail of $2.25 per unit, for Denver and west, and the manufacturer's selling price is subject to terms of net 30 days f. o. b., Cambridge, Ohio.

2. Delete paragraph 4 of the special order and substitute therefor the following:

4. Within 15 days after the effective date of this special order the supplier shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the supplier had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto issued prior to the date of the delivery.

Within 15 days after the effective date of any subsequent amendment to this special order, the supplier shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the supplier had delivered any article the sale of which is affected in any manner by the amendment.

Effective date. This amendment shall become effective December 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15272; Filed, Dec. 20, 1951; 4:53 p. m.]

[Ceiling Price Regulation 7, Section 43, Appendix to Special Order 667]

SEALY MATTRESS CO.

MANUFACTURER'S SELLING PRICES AND CEILING PRICES AT RETAIL

The following appendix to Special Order 667, under section 43, Ceiling Price Regulation 7, effective September 20, 1951, issued to Sealy Mattress Company, 8 South Harvie Street, Richmond 20, Virginia, covering mattresses and box springs having the brand name "Sealy" lists the manufacturer's selling prices and ceiling prices at retail established by the special order.

Appendix. The manufacturer's selling prices are subject to the following terms: 2 percent—10 Days Net 30.

Manufacturer's selling price (per unit):	*Ceiling prices at retail (per unit)*
$25.75	$39.50
$27.50	49.50
$32.50	[1] 59.50
$37.75	69.50
$42.25 through $42.50	79.50

[1] Mattresses and box springs having the names Sealy Natural Rest Tuftless and Sealy Enchanted Night Tufted in the manufacturer's application dated March 14, 1951, so long as they have a manufacturer's selling price of $33.50 per unit, shall have a ceiling price at retail of $59.50 per unit, and the manufacturer's selling price shall carry terms of 2 percent—10 Days Net 30.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 20, 1951.

[F. R. Doc. 51-15271; Filed, Dec. 20, 1951; 4:52 p. m.]

[Ceiling Price Regulation 83, Section 2, Special Order 10]

NASH-KELVINATOR CORP.

BASIC PRICES AND CHARGES FOR NEW PASSENGER AUTOMOBILES

Statement of considerations. A schedule of prices and charges for sellers of new passenger automobiles manufactured by the Nash-Kelvinator Corporation is established by this Special Order pursuant to section 2 of Ceiling Price Regulation 83. This section provides that the Director will establish the basic prices for new automobiles for sellers at retail and wholesale, and also establish the charges for extra, special and optional equipment for these automobiles that are sold by the manufacturer.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to section 2 of Ceiling Price Regulation 83, this Special Order is hereby issued.

1. The basic prices, as defined in Ceiling Price Regulation 83, section 2, which retail and wholesale sellers will use in determining the ceiling prices of automobiles manufactured by the Nash-Kelvinator Corporation, for the several body styles in each line or series of the various makes, are as follows:

Rambler super series:	
2-door Suburban	$1,731.15
Rambler custom series:	
2-door Country club Sedan	1,810.25
2-door Convertible Sedan	1,833.25
2-door Station Wagon	1,833.25
Statesman Deluxe series:	
2-door Business Coupe	1,686.40
Statesman super series:	
2-door Club Coupe	1,787.80
4-door Sedan	1,722.00
2-door Sedan	1,765.50

Statesman custom series:	
2-door Club Coupe	$1,947.30
4-door Sedan	1,950.45
2-door Sedan	1,924.05
Ambassador super series:	
2-door Club Coupe	2,132.85
4-door Sedan	2,137.10
2-door Sedan	2,110.65
Ambassador custom series:	
2-door Club Coupe	2,291.40
4-door Sedan	2,295.65
2-door Sedan	2,269.20

2. The charge for extra, special and optional equipment which wholesale and retail sellers will use in determining the ceiling prices of automobiles manufactured by the Nash-Kelvinator Corporation are as follows:

Anti-freeze (Rambler and Statesman)	$1.75
Anti-freeze (Ambassador)	2.25
Cigar lighter (Statesman Deluxe)	2.75
Clock, electric (Statesman and Ambassador, all Super and Deluxe lines and series)	15.75
Color, two-tone (all lines and series)	14.90
Direction signals (Rambler, Statesman and Ambassador, all Super and Deluxe lines and series)	19.05
Foam sponge cushion, front and rear (all Super and Deluxe lines and series)	24.15
Foam sponge cushion, front or rear (Rambler, Statesman and Ambassador)	12.10
Front seat, divided back 4-door body styles (Statesman and Ambassador, except Custom)	15.40
Front seat, reclining back (Statesman and Ambassador)	15.40
Heavy cushion springs, 4-door Sedans (Statesman and Ambassador)	$25.00
Heavy chassis springs and shock absorbers, 4-door Sedans (Statesman and Ambassador)	16.50
Hydramatic transmission (Statesman and Ambassador)	154.30
Oil bath air cleaner (Rambler and Statesman)	6.50
Oil bath air cleaner (Ambassador)	7.50
Overdrive (Rambler and Statesman)	91.60
Overdrive (Ambassador)	97.80
Radio, less antenna (Statesman and Ambassador)	77.85
Radio antenna, manual (Statesman and Ambassador)	7.80
Radio antenna, vacuum (Statesman and Ambassador)	14.55
Rear center arm rest (all Super and Deluxe lines and series)	35.00
Steering wheel (Custom, all Super and Deluxe lines and series)	16.50
Sun visor, right side (Statesman Deluxe)	2.15
Tires, 4 ply, 6.40 x 15, set of 5, white sidewall (Statesman)	19.00
Tires, 6 ply, 6.40 x 15, set of 5, black (Statesman)	29.00
Tires, 6 ply, 6.40 x 15, set of 5, white sidewall (Statesman)	54.25
Tires, 4 ply, 7.10 x 15, set of 5, white sidewall (Ambassador)	22.50
Tires, 6 ply, 7.10 x 15, set of 5, black (Ambassador)	34.00
Tires, 6 ply, 7.10 x 15, set of 5, white sidewall (Ambassador)	63.25
Tires, 4 ply, 5.90 x 15, set of 5, white sidewall (Rambler)	17.50
Tires, 6 ply, 5.90 x 15, set of 5, black (Rambler)	26.50
Upholstery, includes nylon cloth, foam sponge cushions, front and rear (Super Statesman only)	37.50
Upholstery, leather trim, Nos. T-56, T-57 and T-58 (Statesman and Ambassador)	$89.00
Weather Eye (Statesman and Ambassador)	62.25
Wheel Discs (all Super and Deluxe lines and series)	19.45
Group A, includes Deluxe Steering wheel; electric clock and wheel discs (Statesman and Ambassador)	45.00

3. The prices and charges established by this Special Order do not include the Excise, Overhead and Handling (E. O. H.) charges. Sellers covered by this order will apply such charges to the prices and charges in accordance with section 2 of Ceiling Price Regulation 83.

4. All provisions of Ceiling Price Regulation 83 not inconsistent with this order, including the posting, invoicing, and record-keeping requirements of that regulation, remain in effect as to sales covered by this order.

5. This Special Order or any provision thereof may be revoked, suspended or amended by the Director of Price Stabilization at any time.

Effective date. This Special Order shall become effective December 31, 1951.

MICHAEL V. DI SALLE,
Director of Price Stabilization.

DECEMBER 28, 1951.

[F. R. Doc. 51-15429; Filed, Dec. 28, 1951; 10:53 a. m.]